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JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES

OF THE  
STATE OF INDIANA,  
DURING THE  
FORTY-FIFTH REGULAR SESSION

OF THE  
GENERAL ASSEMBLY

Commencing Thursday, January 10, 1867.

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PART 2.

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INDIANAPOLIS:  
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WEDNESDAY MORNING, 9 o'clock, }  
February 20, 1867. }

The House met.

Mr. Ratliff moved that the reading of the Journal be dispensed with.

Which was not agreed to.

The clerk proceeded to read the Journal, when Mr. Shuey moved that the further reading be dispensed with, excepting that portion which relates to the passage of Senate bill No. 1.

Which was not agreed to.

The Journal was then read and approved.

Message from the Senate, by Mr. Wilson, its Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following: Engrossed House bill No. 12, entitled a bill to constitute the Fourth Judicial Circuit of Indiana, to fix the time of holding the courts in said Circuit, and to repeal all laws in conflict therewith; also, that the Senate has concurred in House amendment to Senate bill No. 1, entitled an act to divide the State into Congressional Districts.

Mr. Newcomb moved that all the members absent last evening on the passage of Senate bill No. 1, be now allowed to record their votes on said bill.

Which was agreed to.

Messrs. Long of Jackson, Skidmore, Wolfer, and Wolflin, voted in the affirmative.

Messrs. Baker, Bird, Fuller, Honneus, Kiser, Morrison, Shoaff, Tebbs, and Vawter, voted in the negative.

## PETITIONS, MEMORIALS, CLAIMS, ETC

Mr. Chambers moved to suspend the order of business, and take up House bill No. —.

Which was not agreed to.

By Mr. Shull,

The claims of sundry citizens of Blackford county for attendance as witnesses before the Committee on arbitrary arrests, during the session of the Legislature of 1863.

Which was referred to the Committee on Claims, without reading.

By Mr. Matthis,

A petition from sundry citizens of Harrison county, in relation to the Morgan raid.

Which was referred to the Committee on Claims, without reading.

By Mr. Ervin,

A petition from sundry citizens of Delaware county, in relation to Common Schools.

Which was referred to the Committee on Education, without reading.

By Mr. Wolfe,

A petition from sundry citizens of Sullivan county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hamilton,

Three petitions from sundry citizens of Marion county, in relation to a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.



By Mr. Mason,

A petition from sundry citizens of Greene county, asking for a prohibitory liquor law.

Was referred to the Committee on Temperance without reading.

By Mr. Dunn,

Two petitions from sundry citizens of Lawrence county, in relation to a prohibitory liquor law.

Which were referred to the Committee on Temperance without reading.

By Mr. McMurray,

A petition from sundry citizens of Putnam county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Newcomb,

A claim in favor of W. S. Graham, amounting to \$2,783.49 for the use of the Indiana Hospital for the Insane.

Which was referred to the Committee on Claims without reading.

By Mr. Newcomb,

The claim of Messrs. Hume, Adams & Co., (\$128.77) for articles furnished for the Governor's house.

Which was referred to the Committee on Claims without reading.

By Mr. Thacher,

A petition from sundry citizens of Shelby county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Stafford,

A petition from citizens of Hamilton county, in relation to a liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Ferris,

A memorial from Hall & Hall in relation to the State Prison South.

Which was read and referred to the Committee on State Prison South.

By Mr. Skidmore,

A petition from sundry citizens of Vermillion county, in relation to a prohibitory liquor law.

Which was read and referred to the Committee on Temperance.

By Mr. Corey,

A petition from sundry citizens of Franklin county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Montgomery,

A petition from sundry citizens of Shelby county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Chambers,

A petition from sundry citizens of Henry county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. McLean,

Two petitions from sundry citizens of Sullivan county, praying for relief from certain prosecutions for acts done under the orders of military officers during the late war for the Union.

Which were referred to the Committee on Claims without reading.

By Mr. Shanks,

Two petitions from sundry citizens of Washington county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance without reading.

By Mr. McClasky,

A petition from citizens of Montgomery county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled bills Nos. 12, 54, 190, 181 and 293, have carefully compared them with the engrossed copies thereof and direct me to report that they find the same correctly enrolled.

#### REPORTS OF STANDING COMMITTEES.

Mr. McLean, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 264—entitled “an act to legalize the sale of seminary land in Jasper county to Marion L. Spitler and Margaret Stackhouse, introduced by Mr. Wright of Jasper—have had the same under consideration and respectfully report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Corey, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill

No. 197—providing for the election of one School Trustee for each ward in incorporated cities, and for the election of an additional Trustee for the city at large in all cases where there are an equal number of wards—have had the same under consideration and instructed me to report the same back to the House, with the recommendation that it pass.

Which was laid on the table.

Mr. Wason, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 198, entitled an act to amend section one of an act entitled an act to provide for a general system of common schools, etc., approved March 6, 1865, have had the same under consideration and respectfully beg leave to report that further legislation on the subject is unnecessary, for the reason that a bill embracing the subject matter of the same is now pending.

Which was concurred in and the bill indefinitely postponed.

Mr. Ferris, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred Joint Resolution of the House, No. 14, for the relief of John .I Morrison, late Treasurer of this State, have had the same under consideration, and would respectfully recommend that the consideration of the same be indefinitely postponed, and believe that its passage would establish a dangerous precedent.

Which was concurred in.

Mr. Lopp, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of R. O. Donner, for services rendered in the organization of the



House of Representatives, have had the same under consideration, and recommend that the further consideration of said resolution be indefinitely postponed.

Which was concurred in.

Mr. Litson, from the Committee on Military Affairs, made the following report :

MR. SPEAKER :

The Committee on Military Affairs, to whom was referred Senate bill No. 4, entitled "an act to establish a home for the maintenance of sick and disabled soldiers," have instructed me to report the same back, with the following amendments, and when so amended, recommend that the same be passed :

Amend title, by adding the words "and seamen, and their orphans and widows" after the word "soldiers."

Amend seventh line of section 1, by inserting "and seamen, and their orphans and widows," after the word "soldiers."

Amend eighth line of section 1, by inserting "and seamen" after the word "soldiers."

Amend tenth line of section 2, by striking out "the first day of January," and inserting "the third Monday in January."

Amend sixth line of section 3, by inserting the words "and seamen" after the word "soldiers."

Amend tenth line of section 4, by inserting "or seamen" after the word "soldier."

Amend fourth line of section 8, by adding the words "and seamen" after the word "soldiers."

Amend fifth line of section 8, by adding the words "and seamen" after the word "soldiers."

Amend seventh line of section 8, by inserting the words "and seamen" after the word "soldiers."

Amend tenth line of section 8, by inserting the words "and seamen" after the word "soldiers."

Amend twelfth line of section 8, by adding the words "and seamen."

Which was laid on the table.

Mr. Lopp, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Emma Pentecost, for rent of room furnished for Committee on Claims during the regular session of the Legislature of 1865, have had the same under consideration, and would recommend that she be allowed the sum of twenty-five dollars and twenty-five cents, and that the same be referred to the Committee on Ways and Means, and be placed in the specific appropriation bill.

Which was concurred in.

The Speaker announced that he had signed House bills Nos. 54, 181, 190, and 293.

Mr. Ferris, from the Committee on Claims, made the following report:

MR. SPEAKER:

The committee, to whom was referred the claim of G. T. & C. C. Smith, for hospital and camp equipage furnished on the order of Col. R. W. Thompson, commandant of camp Dick Robinson, in 1862, (the time the goods were furnished,) have had the same under consideration, and would recommend that they be allowed the sum of one hundred and fifty dollars and eighty cents, and that the same be referred to the Committee on Ways and Means, and be placed in the specific appropriation bill.

Which was concurred in.

Mr. Stafford, from the Committee on Claims, to whom was referred the claim of Solomon De Long for \$50—for expenses incurred as a member of the Committee appointed by the Governor to visit the State Prisons North and South—have had the same under consideration, and would recommend that the same be

allowed, and referred to the Committee on Ways and Means, and be placed in specific appropriation bill.

Which was concurred in.

Mr. Stafford, from the Committee on Claims, to whom was referred the claim of Armar Reed—for services and expenditures incurred in raising a company of volunteers for the 43d Regiment Indiana Volunteers—have had the same under consideration, and would recommend that the same be not allowed.

Which was concurred in.

Mr. Crowe, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the memorial of Colonel Grafton F. Cookerly, asking for an appropriation of two thousand five hundred dollars, as indemnity for the destruction of his printing office, books of account, etc., in October, 1861, by a mob composed of officers and soldiers of the 43d Regiment Indiana Volunteers, then being organized under the command of Colonel McLean, at Terre Haute, Indiana, have had the same under consideration, and a majority of the committee recommend that the same be allowed, and referred to the Committee of Ways and Means, and be incorporated in the specific appropriation bill.

Pending which the special order for the day was called for.

The hour having arrived for the consideration of House bill No. 284, Mr. White moved to make said bill the special order for tomorrow at 11 o'clock, A. M.

Which was agreed to.

Mr. Newcomb, from the Committee on Ways and Means, by consent, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred House bill No. 296—a bill to amend section eighty of an act

entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State," approved June 21, 1852, have had the same under consideration and direct me to report the same back to the House and recommend that it be indefinitely postponed.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Newcomb, by consent, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The committee to whom was referred Senate bill No. 53, "an act to amend the first section of an act entitled an act to amend the first section of an act to amend an act entitled an act to amend the sixth section of an act providing for the organization of County Boards, and prescribing some of their powers and duties," which first above mentioned act was approved June 17, 1852; that said second mentioned act was approved February 16, 1859, which latter act last above mentioned, was approved March 9, 1861, and which act hereby amended, was approved March 7, 1863, have had the same under consideration and direct me to report the same back to the House, and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Griggs moved to take up Senate bill No. 7.

Which was agreed to.

Senate bill No. 7. A bill to repeal an act entitled an act to enforce the 13th article of the Constitution.

Said bill having previously been read a third time,

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorf, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Litson, Long of Kosciusko, Martin, Mason,



McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Brucker, Crowe, Edmonson, Fuller, Hays, Hostetter, Hungate, Inman, Kiser, Lopp, Matthis, McFadin, Morrison, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Vawter, Williams, White, and Wolfe—31.

So the bill passed

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have examined Engrossed House bill No. 21, and carefully compared the same with the original, and find the same correctly engrossed.

Mr. Woods moved to take up Senate bill No. 166.

Which was agreed to.

Senate bill No. 166. A bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Was read a second time.

The amendments to said bill, heretofore reported, were read.

Mr. Prather moved to lay the amendment on the table.

Messrs. Prather and Woods demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Brucker, Ferris, Greer, Martin, McClasky, Prather, Rosser, Stafford, and Wolfer—11.

Those who voted in the negative were,

Messrs. Barritt, Belford, Bird, Black, Bobo, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Gordorn, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hosttetter, Hudson, Hungate, Inman, Kiser, Litson, Lopp, Mason, Matthis, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, O'Neil, Ratliff, Ross, Sabin, Sammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thomas, Vawter, Wason, Williams, Wilson, White, Wolfer, Woods, Wright and Mr. Speaker—74.

So the motion to lay on the table did not prevail.

The question being on concurring in the amendment reported by the Committee on Legislative Apportionment.

Mr. Williams moved to amend as follows:

Amend the amendment by striking out Shelby, and inserting Brown.

Which, on motion by Mr. Woods, was laid on the table.

Mr. Litson offered the following amendment:

Amend the second section so that it shall read Jefferson and Scott one, Jennings and Bartholomew one, Shelby one. Amend section three so that it shall read Shelby one, Bartholomew one, Jennings and Bartholomew one.

Mr. Newcomb moved to lay the amendment on the table.

Which was agreed to.

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on concurring in the amendments reported by the Committee.

The same were agreed to.

Mr. Bobo moved to amend the amendment by striking out the words Morgan and Johnson one, and the words Wells and Adams one, in the third section, and insert the words Wells one, and the County of Adams one.

Mr. Baker obtained leave to record his vote in the negative, on the passage of Senate bill No. 1.

The Speaker announced that he had signed House bill No. 12.

The question being on the amendment offered by Mr. Bobo.

Mr. Greer moved to lay the amendment on the table.

Which was agreed to.

Mr. Lopp offered the following amendment:

Amend the third section by striking out "Morgan and Johnson one," and insert Harrison and Washington one.

Mr. Vawter moved to lay the amendment on the table.

Which was agreed to.

Mr. Crowe offered the following amendment:

Amend by striking out Jefferson, Scott and Clark one, and insert Scott and Clark one.

Mr. Litson moved to lay the amendment on the table.

Messrs. Crowe and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Brucker, Campbell, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusco, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Bobo, Corey, Crowe, Edmonson, Fuller, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Lopp, Matthis, McFadin, Morrison, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Vawter, Williams, White, and Wolfe—32.

So the motion to lay on the table prevailed.

On motion by Mr. Prather, the House adjourned.

TWO O'CLOCK P. M.

The House met.

Pending the adjournment, was the consideration of Senate bill No. 166, a bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Mr. Edmonson offered the following amendment:

Amend by giving Vanderburgh county one Representative, Dubois county one Representative, and Martin county one Representative.

Mr. Newcomb moved to lay Mr. Edmonson's amendment on the table.

Which was agreed to.

Mr. Shull offered the following amendment:

Excepting for Senators, strike out, from the enacting clause, and insert: "Each county in the State shall be entitled to one Representative, excepting Wayne, Allen, and Marion, and these shall be allowed two."

Mr. Newcomb moved to lay the amendment on the table.

Messrs. Baker and Crowe demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Corey, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Litson, Long of Kosciusco, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Crow, Edmonson, Fuller, Greene, Honneus, Inman, Kiser, Matthis, McFadin, Morrison, O'Neil, Ross, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Vawter, Williams, White, and Wolfe—26.

So the motion to lay on the table prevailed.

Mr. Shields offered the following amendment:

Strike out "Kosciusko and Fulton one," and insert "Fulton one."

Mr. Newcomb moved to lay the amendment of Mr. Shields on the table.

Which was agreed to.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed bills thereof, to-wit:

Senate bill No. 35, entitled "a bill to amend sections nineteen and twenty of an act entitled 'an act defining felonies and prescribing punishment therefor,' approved June 10, 1852, defining the offenses of grand and petit larceny, and prescribing the punishment therefor."

Senate bill No. 41, entitled "an act to authorize incorporated towns and townships to subscribe for, purchase and hold stock and make donations to turnpike, plank road, railroad, railway, and slack water navigation companies, and matters properly connected therewith, and declaring an emergency."

Senate bill No. 76, entitled "a bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner of the payment of the same."

Senate bill No. 86, entitled "an act supplemental to an act entitled 'an act for the incorporation of high schools, academies, colleges, universities, theological institutes, and missionary boards,' approved February 28, 1865.

Senate bill No. 89, entitled "an act providing for the incorporation of steam packet companies."

Senate bill No. 111, entitled "an act authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes."

Senate bill No. 164, entitled "a bill to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith," in which the concurrence of the House is respectfully requested.

Also, that the Senate has passed Engrossed House bill No. 2, entitled "a bill to amend an act entitled 'an act to incorporate the Preachers' Aid Society,' approved February 12, 1841, and to authorize and require said incorporation to divide and pay over, in equal shares, to each Preachers' Aid Society in the several Conferences in Indiana, the funds in said incorporation, by the 1st of January, 1868."

Also, that the President of the Senate has signed Enrolled House acts, to-wit: Nos. 12, 54, 181, 190 and 293.

I am also directed to present, for the signature of the Speaker of the House, the following Enrolled acts of the Senate, to-wit:

Enrolled act No. 1, entitled "an act to divide the State into Congressional Districts."

Also, Enrolled act No. 24, entitled "an act to legalize the acknowledgments of all deeds, mortgages and other instruments required to be recorded, taken and certified by notaries public who took and certified such acknowledgments after their commissions had expired and their appointments had been vacated by accepting and holding a lucrative office."

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The amendments reported by the Committee on Legislative Apportionment to Senate bill No. 166, were concurred in, and the bill was ordered to be engrossed, and passed to a third reading on tomorrow.

Mr. Newcomb moved that said Senate bill No. 166 be made the special order for to-morrow, at 2 o'clock P. M.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the Senate has passed the following concurrent resolution thereof, to-wit:

WHEREAS, The 22d day of February, now approaching, brings again to us the anniversary of the birthday of that wise statesman and most illustrious patriot, George Washington, whose name will be honored and revered among men as long as pre-eminent virtues and exalted greatness of character shall command respect;

AND WHEREAS, It is both proper and customary for men to commemorate, by public demonstrations, the memory and the anniversary of the birth of those who have greatly served their country, and been benefactors of their race; therefore,

*Be it resolved by the Senate, (the House of Representatives concurring,) That in honor of the birth day of Washington, the Adjutant General be, and he hereby is directed to cause a national salute, of thirty-six guns, to be fired in front of the State House at 12 o'clock, on the next ensuing 22d day of February.*

Mr. Thacher moved to take up the foregoing concurrent resolution from the Senate.

Which was agreed to.

Mr. Spencer offered the following amendment:

Insert after the word "February," in last clause, "and that for his integrity in the most trying time in our national history, we regard Abraham Lincoln as the special jewel of the republic.

Mr. O'Neil moved to lay the amendment on the table.

Which was agreed to.



Mr. Thacher moved that the House concur in said resolution.  
Which was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Chambers moved to take up Senate bill No. 42.  
Which was agreed to.

Senate bill No. 42. A bill defining what constitutes the Seventh Judicial Circuit, and fixing the times of holding courts therein.  
Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Chambers, Corey, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greene, Griggs, Hamilton, Hays, Higgins, Hopkins, Honneus, Hughes, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Montgomery, Newcomb, O'Neil, Prather, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas Vawter, Williams, White, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Peelle, Stackhouse, and Wolfe—3.

So the bill passed.

The title to said bill was then read.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Wilson obtained leave, and introduced

Joint Resolution No. 18. A Joint Resolution instructing the Governor to send an Agent to the State of Mississippi, to secure the protection and release of Daniel Harrison, of Pike county, Indiana.

Which was read a first time, and passed to a second reading.

Mr. Scammahorn moved to take House bill No. 156 from the table, and place the same upon the files of the House.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate acts Nos. 1 and 24, and has transmitted the same to the Governor of the State for his signature.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Senate bill No. 125, entitled "An act to declare abandoned certain unfinished railroads, and to provide for their completion, to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof, for the organization of new companies, and for making annual statements.

Senate bill No. 143, entitled "An act to amend an act entitled 'an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards,'" approved February 28, 1855.

Senate bill No. 151, entitled "An act amending an act touching the relation of Guardian and Ward, and regulating suits on bonds of Guardians removing from the State."

Senate bill No. 206, entitled "a bill creating the Twenty-Second Common Pleas District, and making provisions therefor, and repealing all conflicting laws—in which the concurrence of the House is respectfully requested.

HOUSE BILLS ON SECOND READING.

House Joint Resolution No. 9 was read a second time, with amendments heretofore reported.

Mr. Woods offered the following amendment:

Recommit the bill with instruction to amend, providing for the appointment of a local agent in each county, who shall be paid an amount equal to the fees which agents are allowed to charge, to be paid out of the State Treasury.

Mr. Hughes moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Woods.

It was not agreed to.

The question being on the amendments reported by the committee.

Which were agreed to.

House Joint Resolution No. 9 was then ordered to be engrossed.

On motion by Mr. McFadin, the House adjourned.

THURSDAY MORNING, 9 O'CLOCK, }  
February 21, 1867. }

The House met.

The Clerk proceeded to read the Journal, when

Mr. Wilson moved that the reading thereof be dispensed with.

No quorum voting, the Speaker ordered a call of the House.

The following members answered to their names :

Messrs. Barritt, Bird, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Corey, Crowe, Danaldson, Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Green, Greer, Griggs, Hartman, Hamilton, Higgins, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Peelle, Prather, Sabin, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stewart, Thacher, Thrasher, Vawter, Wason, Williams, Wilson, White, Wolfe, Wolfer, Woods, and Mr. Speaker—64

Mr. McLean moved that the absentees be sent for.

Which was agreed to.

The Speaker ordered the doors closed, and that the Doorkeeper send for the absentees.

Mr. Hartman appeared and was excused.

Messrs. McClasky, Ratliff, Newcomb, and Miller, appeared and were excused by the House.

Mr. Thacher moved that further proceeding under the call of the House be dispensed with.

Which was agreed to.

The question being on dispensing with the further reading of the Journal.

It was agreed to.

The Speaker announced that he had signed House bill No. 2.

Mr. Greene obtained leave to record his vote against the passage of Senate bill No. 1, and also Senate bill No. 7.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled bill No. 2, have carefully compared it with the engrossed copy thereof, and direct me to report that they find the same correctly enrolled.

The question being—at the intervening of the hour for the special order of the day on yesterday—on concurring in the report of the Committee on Claims in favor of indemnifying Grafton F. Cookerly for the destruction of his printing office.

Said report was taken up.

Mr. Greer moved to amend the resolution reported by the Committee on Claims, as follows :

That all the property lost or destroyed by said mob, including that of the “ladies of ill fame,” mentioned in the memorial of the said Cookerly, be paid for.

Mr. Stewart moved to indefinitely postpone the report and pending amendments.

Messrs. Thacher and Greene demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Bobo, Campbell, Chambers, Dunn, Ervin,

Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Higgins, Hudson, Litson, Martin, McCarthy, McClasky, McMurray, Moore, Peelle, Ratliff, Sabin, Scammahorn, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wolfer, Wolflin, Woods, and Mr. Speaker—41.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Bird, Black, Brucker, Corey, Crowe, Edmonson, Fuller, Greene, Griggs, Hamilton, Hostetter, Hughes, Hungate, Inman, Kiser, Lopp, Matthis, McFadin, McLean, Miller, Morrison, Prather, Prosser, Shields, Shull, Stackhouse, Thacher, Vawter, Williams, White, Wolfe, and Wright—35.

So the motion to indefinitely postpone prevailed.

Mr. Shuey moved to reconsider the vote just taken.

Mr. Woods moved to lay the motion to reconsider on the table.

Messrs. White and Thacher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Campbell, Crain, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Higgins, Hopkins, Hudson, Litson, Martin, Mason, McMurray, Moore, Peelle, Ratliff, Sabin, Scammahorn, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolflin, Woods, and Mr. Speaker—41.

Those who voted in the negative were

Messrs. Baker, Belford, Bird, Black, Bobo, Brucker, Chambers, Corey, Crowe, Daggy, Edmonson, Ervin, Fuller, Greene, Griggs, Hays, Honneus, Hostetter, Hughes, Hungate, Inman, Kiser, Lopp, Matthis, McCathy, McClasky, McFadin, McLean, Miller, Morri-

son, Newcomb, Prather, Shanks, Shields, Shull, Stackhouse, Thacher, Vawter, Williams, Wolfe, and Wright—41.

So the motion to lay on the table did not prevail.

The question being on reconsidering the vote whereby the House refused to concur in the report of the Committee.

Mr. Newcomb moved that the matter be passed over informally. Which was agreed to.

House Joint Resolution No. 18 was taken up.

Mr. Peelle moved that it be deemed expedient to suspend the constitutional rule requiring bills and joint resolutions to be read on three several days, and that said Joint Resolution No. 18 be read a second and third times to-day.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were, . . .

Messrs. Baker, Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Chambers, Corey, Crowe, Crain, Danaldson Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Newcomb, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thacher, Thrasher, Thomas, Vawter, Wason, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—85.

So it was deemed expedient to suspend the constitutional rule.

House Joint Resolution No. 18. A joint resolution instructing the Governor to send an agent to the State of Mississippi to se-

cure the protection and release of Daniel Harrison, of Pike county, Indiana.

Was read a second time by title, and a third time by section.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Campbell, Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammarhorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—87.

No one voting in the negative.

So House Joint Resolution No. 18 passed.

The question being, shall the title, as read, stand as the title to said joint resolution?

It was so ordered.

*Ordered,* That the Clerk inform the Senate of the passage of said joint resolution.

Message from the Governor, by Mr. Commons, his Private Secretary:

MR. SPEAKER:

I am directed by Governor Baker to inform your honorable body that he has approved and signed Enrolled act No. 12. An act to constitute the Fourteenth Judicial Circuit of Indiana, to fix the time of holding the courts in said Circuit, and to repeal all laws in conflict therewith.



Also, Enrolled Act No. 54. An act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled "an act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devises by will to be made to any corporation or purpose contemplated by this act.

Also, Enrolled Act No. 181. An act to amend an act entitled "an act approved March 11, 1861, being to amend an act entitled an act authorizing county agricultural societies to purchase real estate, approved February 7, 1855, and to authorize such societies to issue capital stock, and to confirm and ratify all purchases of real estate made by any agricultural and mechanical society, under their by-laws, not exceeding eighty acres of land, and to extend the benefits of said act to horticultural societies.

Also, Enrolled Act No. 190. An act to raise revenue for State purposes for the years one thousand eight hundred and sixty-seven, and one thousand eight hundred and sixty-eight.

Also, Enrolled Act No. 293. An act to fix the time of holding the Circuit Courts in the Fifth Judicial Circuit, prescribing the length of the terms thereof, and repealing all laws in conflict therewith.

And that the same have been deposited in the office of the Secretary of State.

The Committee on Military Affairs obtained leave of absence for to-day.

Messrs. Baker and Corey obtained leave to record their respective votes in the negative, on the passage of Senate bill No. 7.

Mr. Campbell, by consent, presented the memorial of the students of Asbury University, in relation to a department of agriculture and mechanics.

Which was read and referred to the Joint Committee on Agriculture and Education.

Mr. Campbell moved to postpone the further consideration of the subject of the Agricultural College until Tuesday next, at 2 o'clock P. M.,

Which was agreed to.

Mr. Hughes, by consent, made the following report from the Committee on the Judiciary :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 41—a bill to provide for and regulate the issuing and granting of licenses to locomotive engineers within the State of Indiana, and prescribing penalties for the violation of the provisions thereof, and sundry amendments thereto—have had the same under consideration, and direct me to report the same back and recommend that the amendments to said bill, reported by the Committee on Railroads, be adopted, and that upon said amendments being adopted, said bill be passed.

Which was concurred in.

House bill No. 41, as amended, was then ordered to be engrossed.

Mr. Crain, from the Committee on Employees of the House, by consent, made the following report:

MR. SPEAKER :

The Special Committee on Employees of the House, to whom was referred the resolution of W. W. Higgins, Chairman of the Committee on the Northern Prison, in relation to the employment of a Clerk of said Committee, have had the same under consideration, and direct me to confirm the appointment of J. S. Henry as such Clerk for seven days, to-wit: from the 8th to the 14th day of February, 1867.

Which was concurred in.

#### HOUSE BILLS ON SECOND READING.

Mr. Newcomb moved to take up House bill No. 142.

Which was agreed to.

Mr. Newcomb moved to lay the amendment offered by Messrs. Belford and Miller on the table.

Which was agreed to.

Mr. Newcomb offered the following amendments :

1. Insert after the word "to," in the 9th line, the word "one-third," so as to read "not exceeding, in the aggregate, a sum equal to one-third the capital stock of such company."

2. Add at the end of the first paragraph of the first section, after the word "payment," in the 16th line, the following: *Provided*, That written or printed notice of said assessment shall be served on the stockholder in person, or presented at his or her usual or last place of residence 30 days before the same is payable, and the certificate of any notary public, attested by his official seal, shall be sufficient evidence of the service of said notice, or of its presentation at the residence of the stockholder, either within or without this State.

3. Add the following as an additional section: "That the stockholders in such companies shall be individually responsible for such company's liabilities, or debts hereafter created, in the same manner and to the same extent, and no greater than stockholders in other railroad companies are individually liable under the general laws of this State, and all laws contravening the provisions of this act be and the same are hereby repealed."

Which was agreed to.

Said bill was ordered to be engrossed, and made the special order for to-morrow at 3 o'clock P. M.

House bill No. 168 was read a second time, the amendments heretofore reported were read and adopted. The bill, as mended was then ordered to be engrossed.

House bill No. 179 was read a second time, and ordered to be engrossed.

## SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 284, the same was taken up.

House bill No. 284. A bill to prohibit the sale, for burning purposes, of coal oil, in the State of Indiana, at a lower fire test than 110 degrees, and prescribing penalties therefor.

Was read a third time.

Sec. 1. That upon the application of five or more citizens of any county in this State, wherein any coal oil, petroleum oil, or a mixture of any coal, and petroleum oils is made, refined, or manufactured for the purpose of burning in any kind of lamp as an illuminator, or when the same, or any one of them, is sold for that purpose, either the Judge of the Circuit Court or the Court of Common Pleas shall appoint a suitable and qualified person, who is not interested in the making or vending of any, or either of said oils, who shall at his own expense provide himself with the necessary instruments and apparatus for testing the quality of said illuminating coal or petroleum oils, whose duty it shall be to examine and test the quality of all coal or petroleum oils; that he shall be requested by any manufacturer, refiner, dealer or vender, to examine, and if upon such testing or examination, the oils so tested shall meet the requirements hereinafter specified, he shall fix his brand and device, "approved," with the date upon the package, cask or barrel containing the same; and it shall be lawful for any manufacturer or dealer to sell the same as an illuminator; but if the oil so tested shall not meet said requirements, he shall mark upon such package, cask or barrel "rejected for illuminating purposes," under his name; and it shall be unlawful for the owner thereof to sell the same for illuminating purposes, under the pains and penalties hereinafter provided.

Sec. 2. It shall be the duty of every manufacturer of refined coal oil, petroleum oil, or mixed coal or petroleum oils, to mark or brand upon the package cask or barrel containing, the same according to the fact, "illuminating coal" or "petroleum oil," or "mixed oil," in addition to their ordinary trade mark.

Sec. 3. It shall be the duty of the inspector, when called upon

for that purpose, promptly to inspect all oils hereinafter mentioned, and to reject, as dangerous, all coal, petroleum, or mixture of coal and petroleum oils, which at the temperature of one hundred and ten degrees, Fahrenheit's thermometer, will emit an explosive gas, or take fire on plunging therein a well lighted match: *Provided*, That the quantity of oil used in the test shall not be less than half a pint; and it shall be the duty of said inspector to designate by his brand the temperature at which said oils will ignite.

Sec. 4. That all oils manufactured in this State for sale therein or for the purpose aforesaid, shall be inspected before the same shall have been removed from the refinery or place where refined, or manufactured, and if any person or persons, whether manufacturer or dealer, shall sell or attempt to sell to any person in this State any of said illuminating oils, whether manufactured in this State or not, before having the same inspected, as provided by this act, he shall, upon conviction thereof, be fined in any sum not less than ten or more than two hundred dollars; and if any manufacturer or vender of any or either of said illuminating oils, shall falsely brand the package, cask or barrel containing the same, as provided in the first section of this act, or shall use packages, casks or barrels having the inspectors brand, without having the oil inspected, he or they so offending, upon conviction thereof, shall be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars, or be imprisoned in the county jail not exceeding six months, or both, at the discretion of the Court; and any person violating any provision of this act, or shall neglect to do what is required herein, whether manufacturer or dealer, shall be liable, to any party injured, for any damage sustained thereby; and if any loss of life result as a consequence of not doing what is herein required, or by neglect, or refusal to do what is hereby enjoined by the manufacturer, refiner or dealer, the person so delinquent, shall be deemed guilty of manslaughter, and punished according to the statute in such case made and provided: *Provided further*, That nothing herein enacted, shall be construed to require the inspection of such oils sold within the State, to be shipped by the seller for account of purchaser, to any other State or foreign part.

Sec. 5. All prosecutions for fine and penalties under the provisions of this act, shall be, by indictment in the Circuit Court of the proper county.

Sec. 6. The several inspectors provided for in this act are hereby empowered, if necessary, to appoint deputies, for the convenient dispatch of their respective duties, for whom they shall be respectively accountable; which deputies are hereby empowered to perform the duties of inspection, and shall be liable to the same penalties as the inspector.

Sec. 7. Every person appointed Inspector or Deputy Inspector, shall, before he enters upon the duties of his office, take an oath, or affirmation, to support the constitution of this State, and of the United States, and perform the duties of his office with fidelity. He shall also execute a bond, payable to the State of Indiana, in such sum and with such surety, as shall be approved by the Clerk of the Circuit Court in the county where appointed, conditioned for the faithful performance of the duties imposed upon him by this act, which bond shall be for the use of all persons aggrieved by the acts or neglects of such inspector.

Sec. 8. The term of office of an Inspector, shall be for two years, and every inspector shall, upon the requisition of any manufacturer or vender of oils herein mentioned, proceed without unnecessary delay to the inspection thereof, and said inspector shall be entitled to demand and receive from the owner or party calling upon him, the sum of ten cents for any package, cask or barrel, inspected and branded by him, and ten cents for every mile necessarily traveled by him, in the performance of his duties as such inspector.

Sec. 9. Every Deputy Inspector shall within twenty-four hours after the inspection of the oils, heretofore mentioned, return a true and an exact account thereof to his principal, who shall make an entry of all oils inspected in an intelligible manner in a book, prepared for that purpose, which shall be open to inspection by any person interested.

Sec. 10. No Inspector or Deputy Inspector shall, while in office, buy, sell, barter or otherwise trade, directly or indirectly, in any article which they are called upon to inspect; and for the violation of this section they shall be liable to a penalty not exceeding two hundred dollars, to be collected in accordance with the provisions of section five of this act.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bobo, Campbell, Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shauks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—80.

No one voting in the negative.

So the bill passed.

Mr. Moore moved to amend the title of said bill as follows:

A bill to provide for the inspection of coal and petroleum oils, and mixture of coal and petroleum oils, and providing jurisdiction for the enforcement of penalties.

Which was agreed to.

The title as amended passed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 201. "A bill to provide for the protection of wild and harmless birds, on or about the premises or inclosures of any kind of another, and declaring the penalties for the violation of this act."

Was read a second time.

Mr. Wolfe moved to amend by striking out "black birds," in said bill.

Which was not agreed to.



Mr. Spencer moved to strike out "robin."

Mr. Ratliff moved to amend by striking out "sap suckers."

Mr. Newcomb moved to lay the bill and all the amendments thereto on the table.

Messrs. Foulke and Campbell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Blanch, Corey, Dunn, Edmonson, Funk, Fuller, Hamilton, Hungate, Inman, Kiser, Long of Kosciusko, Mason, Shook, Skidmore, Spencer, Stewart, Wason, Wilson, Wolfe, Wolfer, Wolflin, Woods, and Wright—25.

Those who voted in the negative were,

Messrs. Barritt, Belford, Bird, Bischof, Brucker, Campbell, Chambers, Crain, Crowe, Danaldson, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Martin, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shields, Shoaff, Shull, Shuey, Smith of Lagrange, Smith of Wabash, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wolfer, and Mr. Speaker—56.

So the motion to lay on the table did not prevail.

Mr. Foulke moved to fill up the blank with "one dollar."

Which was agreed to.

The question being on the motion to amend, by Mr. Spencer, It was not agreed to.

The bill was then ordered to be engrossed.

Mr. Moore offered the following amendment to the title of House bill No. 284.



Amend title by adding, "and providing jurisdiction for the enforcement of penalties."

House bill No. 233 was read a second time, and ordered to be engrossed.

House bill No. 143 was read a second time.

Mr. Miller moved that the bill be recommitted to the Committee on the Judiciary, to be considered with other bills on the same subject.

Which was agreed to.

The Speaker announced that he had signed Senate bill No. 7.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 79, entitled "an act providing for the incorporation of electric telegraph companies."

Engrossed Senate bill No. 152, entitled "an act to legalize and make valid certain bonds, and to provide for the payment of the same."

I am also directed by the President of the Senate to present for the signature of the Speaker of the House enrolled act No. 7 of the Senate, entitled "an act to repeal an act entitled an act to enforce the 13th article of the Constitution."

Engrossed Senate bill No. 175, entitled "an act for the incorporation of companies for the purpose of erecting and maintaining buildings to be used or occupied in whole or in part for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies or lodges."

In which the concurrence of the House is respectfully requested.

House bill No. 196. A bill to amend section five of an act entitled "an act providing for the organization of Circuit Courts, for the election of judges thereof, and defining their powers and duties," approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865.

Was read a second time.

The amendments heretofore reported were read and concurred in.

Mr. Matthis moved that said bill be indefinitely postponed.

Which was agreed to.

Mr. Hopkins, by consent, offered the following resolution :

*Resolved*, That the Evansville Silver Band be invited into the Hall of the House of Representatives to play, immediately after adjournment.

Which was agreed to.

On motion by Mr. McFadin, the House adjourned.

TWO O'CLOCK P. M.

The House met.

Mr. McFadin, by consent, offered the following resolution :

*Resolved*, That the House of Representatives, now in session, return a vote of thanks to the members of the Crescent City Silver Band, for the very excellent music at the adjournment of the House at noon to-day.

Which was concurred in.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 75, entitled "an act for the incorporation of slack water navigation companies, and defining their powers and duties," in which the concurrence of the House is respectfully requested.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed enrolled acts No. 7 of the Senate, and No. 2 of the House of Representatives, and that enrolled act No. 7 of the Senate, has been transmitted to the Executive Department.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed House Joint Resolution No. 18, entitled "a Joint Resolution instructing the Governor to send an agent to the State of Mississippi, to secure the protection and release of Daniel Harrison, of Pike county, Indiana.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of Senate bill No. 166, the same was taken up.

Senate bill No. 166. A bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Was read a third time.

Mr. Bobo moved to recommit said bill to the Committee on Legislative Apportionment, with the following instructions :

Amend the third section, by striking out the words "Jay and Blackford one, Wells and Adams one, Morgan and Johnson one," and insert the words "Jay one, Wells and Blackford one, and the county of Adams one."

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion of Mr. Bobo to recommit, with instructions.

Messrs. Bobo and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Bird, Black, Bobo, Corey, Crowe, Edmonson, Fuller, Hays, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Lopp, Matthis, McFadin, Morrison, Montgomery, O'Neil, Ross, Shanks, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Williams, White, and Wolfe—31.

Those who voted in the negative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hughes, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolfliu, Woods, Wright, and Mr. Speaker—57.

So the motion to recommit did not prevail.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammarhorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Bobo, Corey, Crowe, Edmonson, Fuller, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Lopp, Matthis, McFadin, Morrison, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Vawter, Williams, White, and Wolfe—32.

So the bill passed.

The title was then read.

The question being, shall the title, as read, stand as the title to said bill?

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have compared engrossed House bill No. 142 with the original, and find the same, in all respects, carefully and accurately engrossed.

Message from the Governor, by Mr. Commons, his private Secretary.

MR. SPEAKER:

I am directed by Governor Baker to transmit herewith a message

accompanied by the biennial report of Major General John L. Mansfield, as to the condition of the Indiana militia.

Mr. Montgomery moved that when the House adjourns to-morrow, it shall adjourn to meet at two o'clock on Monday next.

Mr. Miller moved to lay the motion to adjourn on the table.  
Which was agreed to.

Mr. Hughes obtained leave, and introduced

House bill No. 316. A bill to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion, for acts done in the military service of the United States, and in the military service of the State of Indiana, and in enforcing the laws and preserving the peace of the country.

Which was read a first time.

Mr. Hughes moved that three hundred copies of said bill be printed. and that it be made the special order for Wednesday next, at 10 o'clock A. M.

Mr. Baker moved to refer said bill to the Judiciary Committee.

The question being on the motion to refer.

Messrs. Baker and Honneus demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Bird, Black, Bobo, Brucker, Corey, Crowe, Edmonson, Fuller, Honneus, Hostetter, Hungate, Inman, Kiser, Lopp, Matthis, McFadin, Morrison, Montgomery, O'Neil Ratliff, Ross, Shields, Shoaff, Smith of Lagrange, Stackhouse, Tebbs, Thatcher, Vawter, Wason, Williams, White and Wolfe—33.

Those who voted in the negative were,

Messrs. Belford, Bischof, Blanch, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Long of Kosciusko, Martin, McCarthy,

McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Sabin, Scammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spenceer, Stafford, Stewart Thrasher, Thomas, Wilson, Wolfer, Wolflin, Woods, Wright and Mr. Speaker.

So the motion to refer did not prevail.

The question being on the motion by Mr. Hughes to print.

Messrs. Wolfe and Baker demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bisehof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Ervin, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hughes, Long of Kosciusko, Martin, Mason, McClasky, McLean, McMurray, Miller, Moore, Newcomb, O'Neil, North Peelle, Prather, Ratliff, Sabin Scammahorn, Shull, Shuey, Skidmore, Smith of Llangrange, Smith of Wabash, Stafford, Stewart Thrasher, Thomas, Wason, Wilson, Wolfer, Wolflin Woods and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Bobo, Corey, Crowe, Dunn, Edmonson Fuller, Hays, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, McFadin, Morrison, Montgomery, Shields, Shook, Spencer, Stackhouse, Tebbs, Thacher Vawter, Williams, White, Wolfer and Wright—31.

So the motion to print said bill and make it the special order for Wednesday next at 10 o'clock A. M., prevailed.

Mr. Danaldson obtained leave of absence until Wednesday next.

The Speaker announced that he had signed House Joint Resolution No. 18.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the

House that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 214, entitled an act to authorize cities to prepare execute, negotiate and sell bonds, to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds, and declaring an emergency.

Also, that the President has signed Enrolled Joint Resolution, No. 18 of the House of Representatives. A Joint Resolution instructing the Governor to send an agent to the State of Mississippi to secure the protection and release of Daniel Harrison, of Pike county, Indiana.

✓ Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred Enrolled Joint Resolution No. 18, have carefully compared it with the engrossed copy thereof, and direct me to report that they find the same correctly enrolled.

#### HOUSE BILLS ON SECOND READING.

House bill No. 126. An act to lease the Northern State Prison, and prescribing the terms and conditions in reference thereto.

Which was read a second time.

Mr. Shuey moved to amend by striking out all that authorizes said lessees to appoint the Warden of said prison.

Also, strike out all that permits any person in interest as lessee to be appointed to the office of such Warden.

Mr. Higgins moved to commit said bill to the Committee on the State Prison North.



Mr. Peelle moved, as instructions, to amend by inserting the names of Richard Epperson and David J. Silvers, as lessees in lieu of the lessees named in said bill.

Pending the motion to refer,

On motion by Mr. Thacher, the House adjourned.

FRIDAY MORNING, 9 o'clock, }  
 February 22, 1867. }

The House met.

On motion by Mr. Shuey, the reading of the Journal was dispensed with.

#### REPORTS OF STANDING COMMITTEES.

Mr. Crowe, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the substitute for House bill No. 14—with instructions to report a bill to provide for a commission to take all the testimony and ascertain all the facts connected with the Morgan and other rebel raids—have had the same under consideration and direct me to make the following report:

Strike out all after the enacting clause and insert in lieu thereof the following:

That immediately upon the taking effect of this act the Governor of the State shall appoint three commissioners, whose duty it shall be, after having, before some competent officer, taken an oath to faithfully and impartially discharge their duties, to proceed to hear, determine and adjust all claims for losses which have heretofore accrued by reason of the injury, destruction, loss or impressment of property had or held by any inhabitant of the State of Indiana, or the heirs, executors or administrators of any such inhabitant, by rebel forces under the command of the rebel John Morgan, in 1863, or caused by the State or National forces engaged in repelling said invasion, or caused by organizing and equipping troops to repel the threatened invasion of the State by the rebel forces under the command of Adam Johnson, in the year 1864.

Sec. 2. All persons entitled to compensation under the first section of this act, shall, on or before the first day of May A. D., 1867, file with the clerk of the Circuit Court, in the counties of Posey, Knox, Vanderburgh, Warrick, Daviess, Pike, Gibson, Harrison, Floyd, Washington, Jackson, Scott, Clarke, Jennings, Bartholomew, Lawrence, Orange, Perry, Spencer, Crawford, Jefferson, Brown, Ripley, Dearbon, Decatur, Fayette, Franklin, Union, Switzerland, Ohio, and Johnson the claims hereinafter required; and it shall be the duty of said clerks to file said claims in their respective offices, and immediatly after said first day of June, 1867, make out and forward to said commissioners a complete list of the names, numbers and amounts of said claims.

Sec. 3. Said commissioners shall organize, on or before the first Monday in June, 1867, in the town of Lawrenceburgh, Dearborn county, having first given twenty days notice of the time of the meeting in some newspaper of general circulation, published in Dearborn county, in said State, if one be published therein; if not, by publishing the same in a newspaper of general circulation, published nearest thereto, and shall proceed to adjust such claims as may have been filed according to the provisions of this act, and none other; containing a plain and concise statement of the property lost, injured, impressed or destroyed, the nature of the injury and the amount of damage sustained, and in what county, and at or about what time the loss occurred; and whether it was caused by the rebel or by the State and National forces. Such claims shall also contain a statement that no compensation has been received by the claimant from the United States, or vouchers issued to him for the claim, by any officer in the military service of the United States, and that the claimant did not invite, encourage or assist said raids, or any of them. Also losses sustained, and the amount thereof verified, by affidavit. The commissioners shall have power to enforce the attendaunce of witnesses in the same manner as is provided by law for the Circuit Courts, and the sheriff of the county, in which the commissioners are holding their session, shall be required to serve all processes required by said commission; but the State shall, in no event, be liable for the cost of witnesses summoned in behalf of the claimants, nor for the cost of summoning such witness.

Sec. 4. Said commissioners, when so met, shall organize and shall constitute one of their number chairman, and may meet and adjourn as they may deem best, and may adjourn to meet at any given time in the county seats of either of the counties named in this act, and at such other places as said commissioners shall deem proper and right, and upon said commissioners adjourning to meet at any other point than Lawrenceburgh, Indiana, they shall immediately notify the clerk of the Circuit Court of the county to which they adjourn; and said clerk shall immediately give notice to each claimant in his county of the time and place of meeting of said commissioners.

Sec. 5. The Governor shall also appoint an attorney, who shall be present at all the meetings of said Commissioners, and shall act as the attorney of the State, and shall look after and protect the interests of the State. Said attorney shall, before entering upon his duties, take an oath to faithfully discharge the duties of his office.

Sec. 6. The Commissioners, as provided for in this act, shall have power to appoint a Clerk, who shall take an oath to discharge the duties of his office; and it shall be the duty of said Clerk to keep a complete record of the proceedings of said Commission, and file and preserve the papers of the Commission, under their direction.

Sec. 7. Said Commissioners shall examine all claims duly presented, and ascertain the amount of loss thereon, and whether the claim be meritorious, as upon the evidence before them they may deem just and equitable, separating said claims into the following classes:

1st. Claims for property taken, destroyed or injured by the Union forces under command of United States officers.

2d. Claims for property taken, destroyed or injured by the rebels.

3d. Claims for property taken, destroyed or injured by the Union forces under command of State officers, with a statement showing specifically, in each case, under what circumstances, and by what authority such property was taken, injured or destroyed.

4th. Property taken or destroyed, where the claimant fails to show by which army the same was taken or destroyed.

Sec. 8. Said Commissioners shall have full power to administer all oaths required by this act, in the swearing of parties or witnesses, adopt all rules and by-laws necessary and proper to enable them properly to perform their duties. They shall require such proof as they may deem best. They shall require the Clerk of said Commission to make a complete record of each claim presented, which shall contain a copy of all the claims presented, and a comprehensive abstract of the testimony given or taken, and also the finding of said Commission or its decision thereon, which finding and decision shall be signed by said Commissioners and attested by the Clerk, but no claim shall be allowed, the justice of which shall not be fully established by evidence.

Sec. 9. Upon the completion of their labor, or on or before the 1st day of January, 1867, said Commissioners shall report their proceedings, their findings, and the facts upon which each claim is founded to the Governor, who shall report the same to the next General Assembly, with his recommendation thereon.

Sec. 10. Said Commissioners, Attorney and Clerk shall each receive for their services during the time they shall be employed, and they shall make such allowance to officers and other persons appointed or employed by them as shall seem reasonable and just, which shall be submitted to the Governor, and if approved by him the Auditor of State shall draw his warrant on the Treasurer of State, who shall pay the same. The amount allowed said Commissioners, Clerk and Attorney, as provided for in this act shall be paid out of the State Treasury, on the approval of the Governor, but no account of said officers shall be approved or allowed but upon the sworn statement of such officers; when so sworn to, and approved by the Governor, the Auditor of State shall draw his warrant on the State Treasurer for said amount, which shall be paid by said Treasurer.

Sec. 11. The Governor may remove, at any time, said Commissioners, or either of them, or the Clerk or Attorney, for good cause shown, and appoint others in their stead, and in case of removal, death or other cause, said offices shall become vacant, the Governor shall fill said vacancies.

Sec. 12. Whereas an emergency exists for the immediate

taking effect of this act, therefore the same shall be in force from and after its passage, and the Secretary of State shall cause a copy of this act to be printed immediately, in the *Indiana State Journal* and *Indiana State Herald*, and shall forward to the Clerks of the Circuit Courts of the counties named in this bill, a certified copy thereof, and when so amended, the committee recommend the passage of said bill.

Which was laid on the table.

Mr. Wright, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claims of E. W. H. Ellis, T. J. Dela Hunt, and John A. Matson, for service as Commissioners in examining Sinking Fund records in the year 1866; and also, the claims of Charles P. Jacobs, for services rendered as clerk for said Committee, have had the same under consideration, and would respectfully recommend that E. W. H. Ellis be allowed the sum of \$417, John A. Matson \$325, T. J. Dela Hunt \$475, Charles P. Jacobs \$350, and that the same be referred to the Committee on Ways and Means, and placed in the specific appropriation bill.

Which was concurred in.

Mr. Mason, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 195, have had the same under consideration, and direct me to report the same back to the House, and recommend the passage of the same.

Which was laid on the table.

Mr. Martin, from the Committee on Agriculture, made the following report.

MR. SPEAKER:

The Committee on Agriculture, to whom was referred House

bill No. 289, to amend section 1 of an act entitled "an act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock, have had the same under advisement, and instruct me to report the same back, and recommend its passage.

Which was laid on the table.

Mr. Barritt, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 78, have had the same under consideration, and authorized me to report the same back to the House, and recommend that it be laid on the table.

Which was concurred in.

Mr. Scammahorn, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

Your committee, to whom was referred engrossed House bills Nos. 287 and 300, have examined the same, and would respectfully report the same correctly engrossed.

Mr. Evans, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred House bills Nos. 275, 276 and 278, have had the same under consideration, and ordered me to report the same correctly engrossed.

Mr. Edmonson, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have instructed me to report that they have compared engrossed House bills Nos. 290, 262,



and 229 with the original copies, and find the same correctly engrossed.

Mr. Honneus, from the Special Committee on Immigration, made the following report :

MR. SPEAKER :

The Special Committee on Immigration, to whom was referred House bill No. 282—a bill to organize a system for the promotion of immigration to the State of Indiana—have had the same under consideration, and recommend its indefinite postponement.

Which was concurred in, and said bill was indefinitely postponed.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in engrossed House amendments to Senate bill No. 166, which reads as follows :

Amend section 3 of said bill, by striking out the word "Jennings," in the 23d line of said section, and inserting the word "Shelby" in lieu thereof."

Mr. Prather, from the Select Committee on apportionment, made the following report :

MR. SPEAKER :

The Select Committee, to whom was referred House bills Nos. 1, 22, 94, 75, 85, and 100, all on the subject of Senatorial and Representative apportionment, have duly considered the same, and as a bill on the same subject has passed the Senate and this House, I, therefore, as Chairman of said committee, report the same back to the House, and ask that they lie upon the table.

Which was concurred in, and the several bills referred to were laid on the table.



## INTRODUCTION OF BILLS, RESOLUTIONS, ETC.

Mr. Newcomb moved to take from the table the claims of W. S. Hubbard and others.

Which was not agreed to.

Mr. Barritt introduced

House bill No. 317. A bill to amend section thirty-five of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers, and Auditors, and of the Treasurer and Auditor of State."

Which was read a first time, and referred to the Committee on the Judiciary.

M. McFadin introduced

House bill No. 318. A bill to provide for the election of County Surveyors, prescribing their duties, together with all other county officers named therein, fixing certain of their fees, and repealing all laws and parts of laws in conflict therewith.

Which was read a first time.

Mr. Newcomb moved to reject said bill.

Which was agreed to.

Mr. McLean introduced

House bill No. 319. A bill authorizing the appropriation of money out of the State Treasury for the use of the State University, located at Bloomington, Monroe county.

Which was read a first time, and passed to a second reading.

Mr. Shields, by consent, presented a petition from sundry citizens of ——— county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

Mr. Kiser, by consent, presented two petitions from sundry citizens of Allen county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

Mr. Baker, by consent, presented a petition from sundry citizens of Knox county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

Mr. Evans, by consent, presented a petition from sundry citizens of Carroll county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

Mr. Griggs introduced

House joint resolution No. 19. A joint resolution to convene the Legislature in extra session.

Was read a first time.

Mr. Montgomery moved to reject said joint resolution.

Mr. Wolfe moved that said joint resolution be laid on the table.  
Which was agreed to.

Mr. McCarthy offered the following resolution :

*Resolved*, That the Committee on Public Printing be instructed to inquire into the propriety of having the exact cost of the printing of every document, bill, or other matter, printed in accordance with law, or by direction of the General Assembly, printed in legible form immediately in connection with the name of State Printer, and report by bill or otherwise.

Which was agreed to.

Mr. Bird introduced

House bill No. 320. A bill for protecting the community against quack physicians.

Which was read a first time, and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Mr. Greer introduced

House joint resolution No. 20. To give prisoners of war extra pay, while prisoners of war.

Which was read a first time, and passed to a second reading.

Mr. Hopkins introduced

House bill No. 321. A bill providing for refunding out of the Treasury of State to Alvah Johnson, a sum of money paid by him in obedience to a judgement of the Vanderburgh Circuit Court, in an action in which the State of Indiana was plaintiff, and John W. Johnson and others were defendants.

Which was read a first time, and referred to the Committee on the Judiciary.

Mr. Corey introduced

House bill No. 322. A bill amending sections twenty-four and one hundred and sixty of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Which was read a first time, and referred to the Committee on Education.

Mr. Foulke offered the following resolution:

*Resolved*, That hereafter no member shall be allowed to speak upon any resolution or bill more than ten minutes at any one time, unless by a vote of a majority of the House.

Mr. Newcomb moved to amend by striking out ten and insert fifteen.

Mr. O'Neil moved to lay the whole subject on the table.

Mr. O'Neil and Mr. Ratliff demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bobo, Brucker, Campbell, Corey, Crowe, Danaldson, Edmonson, Fuller, Greene, Hamilton, Lopp, Mason, Matthis, Morrison, Montgomery O'Neil, Shanks, Shields, Shull, Stackhouse, Tebbs, Thatcher, Vawter, Williams and White—27.

Those who voted in the negative were,

Messrs. Baker, Bischof, Black, Daggy, Dunn, Ervin, Evins, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Long of Kosciusko, McCarthy, McFadin, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfe, Wolfer; Woods and Mr. Speaker—54.

So the motion to lay on the table did not prevail.

The question being on the amendment, offered by Mr. Newcomb. It was not agreed to.

The question being on the adoption of the resolution, offered by Mr. Foulke.

It was agreed to.

Mr. Griggs introduced House bill No. 323, "an act to suppress tippling houses, regulate the sale of spirituous, vinous, malt and other intoxicating liquors, and to repeal all laws inconsistent therewith."

Which was read a first time and referred to the Committee on Temperance.

#### SPECIAL ORDER OF THE DAY.

The hour having arrived for the consideration of Senate bill No. 161, "a bill to establish a house of refuge for juvenile offenders."

Was taken up.

Mr. McLean moved to postpone the consideration of said bill until Tuesday next, at 10 o'clock, A. M.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed Engrossed House bill No. 272, "a bill to create the twenty-second District of the Court of Common Pleas of Indiana, to fix the time of holding the Courts in said District, and to repeal all laws in conflict therewith."

Also Engrossed House bill No. 175, entitled "a bill to amend an act entitled an act, providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852.

Also, that the Senate has passed the following engrossed bill thereof, to-wit :

Engrossed Senate bill No. 191, entitled "an act supplemental to an act entitled an act for the incorporation of manufacturing and mining companies; and companies for mechanical, chemical and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867.

I am further directed to present for the signature of the Speaker of the House, Enrolled act No. 42, of the Senate, entitled "an act, defining what counties shall constitute the Seventh Judicial Circuit, and fixing the times of holding courts therein."

The Speaker announced that he had signed Senate bill No. 42.

## ORDERS OF THE DAY.

House bill No. 126, having previously been read a second time.

Was taken up.

The question being on the motion, by Mr. Higgins, to re-commit said bill to the Committee on the State Prison North.

Mr. Stewart moved to indefinitely postpone the whole subject.

Mr. Woods moved the previous question.

Which was not seconded by the House.

Mr. Kiser obtained leave of absence during next week.

The question being on the motion by Mr. Stewart, to indefinitely postpone the consideration of House bill No. 126.

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

Messrs. Miller and Woods demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Blanch, Campbell, Daggy, Dunn, Ervin, Evans, Ferris, Funk, Hamilton, Higgins, Hudson, Long of Kosciusko, Martin, Matthis, McCarthy, McMurray, Moore, Morrison, Montgomery, North, Ratliff, Shoaff, Smith of Lagrange, Stafford, Stewart, Thrasher, Wason, Wilson, White, Woods, Wright, and Mr. Speaker—31.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Bird, Bishof, Black, Bobo, Corey, Crain, Crowe, Edmonson, Foulke, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hays, Hopkins, Honneus, Hostetter, Hughes, Hungate, Inman, Kiser, Litson, Lopp, Mason, McClasky, McFadin, McLean, Miller, Newcomb, O'Neil, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thacher, Thomas, Vawter, Williams, Wolfe, Wolfer, and Wolflin—59.

So the motion to indefinitely postpone did not prevail.

Mr. Daggy moved to make the further consideration of said bill the special order for Thursday next, at 10 o'clock A. M.

Mr. Hartman obtained leave of absence until Tuesday next.

Mr. Thacher moved that when the House adjourns, it adjourn until Monday next, at 2 o'clock.

Which was agreed to.

Mr. Newcomb moved to make House bill No. 142 the special order for Monday next, at 3 o'clock P. M.

Which was agreed to.

Mr. Long, of Kosciusko, obtained leave of absence till Tuesday next.

Mr. Spencer moved to reconsider the vote by which the House agreed to adjourn until Monday next, at 2 o'clock P. M.

Mr. Bobo moved to lay the motion to reconsider on the table.

Messrs. Spencer and Crain demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Black, Bobo, Corey, Crowe, Daggy, Edmonson, Ervin, Fuller, Greene, Griggs, Hostetter, Inman, Kiser, Litson, Lopp, Matthis, McFadin, Morrison, Montgomery, O'Neil, Ross, Rosser, Scammahorn, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Thomas, Vawter, White, and Wolfe—35.

Those who voted in the negative were,

Messrs. Bird, Bisehof, Blanch, Crain, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hopkins, Honneus, Hudson, Hughes, Hungate, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Sabin, Shook, Shuey, Skid-

more, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Wason, Williams, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—48.

So the motion to lay on the table did not prevail.

Messrs. Spencer, Wason, Black, McCarthy, and Peelle obtained leave of absence until Tuesday next.

The question being on the motion to reconsider the vote by which the House agreed to adjourn till Monday next.

Messrs Miller and Bobo demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Crain, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hamilton, Hopkins, Honneus, Hudson, Hughes, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Wason, Willimams, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—50.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Corey, Crowe, Daggy, Fuller, Greene, Griggs, Hays, Higgins, Hostetter, Hungate, Inman, Kiser, Litson, Lopp, Matthis, McFadin, McMurray, Morrison, Montgomery, O'Niel, Ross, Scammahorn, Shanks, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Thomas, Vawter, White, and Wolfe—36.

So the motion to reconsider prevailed.

The question being on the motion to adjourn till Monday next.

Mr. Miller moved to make the time of adjournment to-morrow morning, 9 o'clock.

Which was not agreed to.



The question recurring on Mr. Thacher's motion to adjourn till monday next, at 2 o'clock P. M.

It was agreed to.

Then, on motion, the House adjourned.

MONDAY AFTERNOON, 2 o'CLOCK, }  
February 25, 1867. }

The House met.

On motion by Mr. Miller, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Crain,

A petition from sundry citizens of Vigo county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Wilson,

A petition from sundry citizens of Pike county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Miller,

A petition from sundry citizens of Tippecanoe county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Wright,

Three petitions from the citizens of Newton county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.

By Mr. Greene,

A petition from sundry citizens of Dearborn county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Shoaff,

A petition from sundry citizens of Allen county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Matthis,

A petition from sundry citizens of Harrison county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Greene,

A petition from sundry citizens of Dearborn county, asking for relief in cases of loss by the Morgan raid.

Which was referred to the Committee on Claims, without reading.

By Mr. Barritt,

A petition from sundry citizens of Bartholomew county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Thacher,

A petition from sundry citizens of Shelby county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Crowe,

A petition from sundry citizens of Scott county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr Hamilton,

A petition from sundry citizens of Marion county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Wolfe,

A memorial from Mrs. Paxon, in relation to a prohibitory liquor law.

Which was read and referred to the Committee on Temperance.

By Mr. Belford,

A petition from sundry citizens of Laporte county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Mason,

A petition from sundry citizens of Greene county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hughes,

Three petitions from sundry citizens of Monroe county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.

By Mr. Honneus,

A petition from sundry citizens of Clarke county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Dunn,

A petition from sundry citizens of Lawrence county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Vawter,

A petition from sundry citizens of Johnson county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Ervin,

A petition from sundry citizens of Delaware county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Smith, of Lagrange,

A petition from sundry citizens of Lagrange county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance without reading.

By Mr. Black,

Three petitions from sundry citizens of Madison county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance without reading.

By Mr. Blanch,

Two petitions from sundry citizens of Howard county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Hays,

A petition from sundry citizens of Owen county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Shanks,

A petition from sundry citizens of Washington county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Skidmore,

A petition from sundry citizens of Vermillion county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Shuey,

A petition from sundry citizens of Elkhart county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Stewart,

A petition from sundry citizens of Rush county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Shook,

A petition from sundry citizens of Ripley county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. McFaden,

A petition from sundry citizens of Cass county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Thrasher,

A petition from sundry citizens of Union county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Griggs,

A petition from sundry citizens of Johnson county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Gordon,

A petition from sundry citizens of Boone county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

By Mr. Higgins,

A petition from sundry citizens of Laporte county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance without reading.

Messrs. Baker, Daggy and Smith, of Wabash, obtained leave of absence.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to return herewith, Engrossed House bill No. 177, for an enacting clause.

I am also directed by the President of the Senate, to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit:

Engrossed Senate bill No. 38, entitled, "an act to amend section twenty of an act entitled an act to amend an act entitled an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved January 20th, 1865.

Also, engrossed Senate bill No. 96, entitled, "a bill to amend the seven hundred and sixteenth section of an act entitled, "an act concerning the writ of *habeas corpus*."

Also, engrossed Senate bill No. 103, entitled, "a bill to prevent persons from injuring or destroying insured property, and for making false proofs thereof, and prescribing penalties for the same."

Also, engrossed Senate bill No. 118, entitled, "an act to require Clerks of the Courts of Common Pleas to specify by separate items, the fees and services for which they may demand payment of executors, administrators or guardians."

Also, engrossed Senate bill No. 119, entitled "an act amending the thirteenth section of an act approved June 4, 1861, entitled, an act to provide for the incorporation of Street Railroad Companies."

In which the concurrence of the House is respectfully requested.

Mr. Brucker, from the Committee on the State Prison South, made the following majority report:

MR. SPEAKER:

The committee to whom was referred that part of the Governor's Message, relating to the State Prison South, together with the reports of the Directors and accompanying documents, for the two years ending December 15, 1866, and whose duty it was made to visit said prison and inspect the buildings and premises, and examine the books and accounts of the officers, and the treatment and condition of the prisoners confined therein, having complied



with the duties assigned them, respectfully submit the following report:

The convicts remaining in said prison, December 15, 1865, were two hundred and ninety-seven. Number received during the year ending December 15, 1866, was two hundred and sixty. Number now in prison, four hundred and twenty-one, being an increase of one hundred and twenty-four during the past year. The great increase of convicts confined in said prison during the past year, as compared with former years, would seem to be an argument for the necessity of an extension of cell-houses and work-shops, but in view of the fact that the county of Marion, at this session of the Legislature, has been attached to the prison division north, such extension, in the opinion of your committee, is not now advisable.

The committee find that the discipline of said prison is unexceptionable in every particular; that the sanitary regulations, especially in the hospital department, cannot be improved, and that in these important particulars, the officers having direct supervision of these interests, are entitled to the highest commendation.

Your committee find that the wages of the guards have been raised from \$60 to \$67 50 for day, and from \$65 to \$75 for night guards, which your committee disapproves, and while they regret the increase of current expenses, they regard this result as attributable to the present system; and that the leasing of said prison, with the proper restriction and safeguards, (which a due respect for the humane treatment of the convict require,) is the only effectual remedy for the existing financial evils.

The expenses necessarily incurred in making repairs during the past year, on account of the destruction of buildings by fire, cannot properly be included as a part of the current expenses of said prison, as said repairs partake of the character of permanent improvements, and the expenditures therefor will not properly constitute the basis of future appropriations.

Your committee find that there is a deficiency in the appropriations for the expenses of the prison for the last two years, including present indebtedness, amount advanced by contractors for buildings, and amount advanced by Treasurer of State, of the sum of \$21,305.95. They recommend that an appropriation be made to meet this deficiency. They also recommend that if the present system of managing the prison be continued, that for the purpose of

defraying the current expenses of the prison, for the year ending December 15, 1867, the sum of \$12,000 be appropriated; that to defray the current expenses of said prison, for the year ending December 15, 1868, there be appropriated the sum of \$12,000.

Your committee, upon inquiring, find that the services of the Directors amounts to about twenty-four days in the year, and it recommends that the salary be reduced from \$800 to \$500 per annum.

Mr. Thrasher, from the same Committee, on the State Prison South, made the following minority report:

MR. SPEAKER:

We, a minority of the Committee on affairs of the State Prison South, would ask leave to offer the following report:

While we agree with the majority in general, we would enter our most earnest protest against the leasing system as recommended by your committee. We believe it a relic of barbarism, and unworthy the sanction of the representative of a civilized community. The chief object of punishment, while deterring the innocent from the commission of crime, is the reform of those offending. This end, we think, can be attained under the present system, if properly conducted. The principal reason offered by the advocates of the proposed changes, is economy and the necessity of diminishing State expenditures. We, too, are sticklers for economy, but are unwilling to purchase it at the expense of cruelty. With equal consistency the upholders of the Divine Institution might offer economy as an excuse for the barbarity of slavery. If your Directors will perform their duties faithfully, we feel satisfied that the prisons, both North and South, can be made self-sustaining, and while we have no desire to say ought derogatory of their administration, we must insist that they have the power to relieve the State of the enormous demands which she is annually asked to meet, and should be required to exercise that power. The fault, as we conscientiously believe, is in the officers, and those having supervision of the prisons, and not in the system itself. The present Board may be no more to blame than former ones, perhaps not so much—having the example before them. If future Directors will look to the interests of the State alone, and not to what their predecessors have done in certain contingencies,

we may look for better results. We pay them a salary sufficient to secure a faithful performance of the duties devolving upon them, and it should be demanded at their hands to the letter. We, your committee, have conferred with some of the Directors elect, and find them of the opinion that these institutions, with proper care, can be made self-supporting; and that to hire out our prisoners, as we would horses and mules, would not only be unkind to them, but unjust to themselves and the people we represent. Many of them are young men, now suffering the penalty of a first trip to the path of crime. They should, if possible, be reclaimed and restored to society, and in that proportion, as the State manifests an interest in their welfare, will they be led to feel the duty they owe her as citizens and the obligations resting upon them as members of the body corporate.

All of which we most respectfully submit.

MOSES F. DUNN,  
W. W. THRASHER.

Mr. Belford moved that the majority and minority reports be laid upon the table, and three hundred copies be ordered printed for the use of the House.

Which was agreed to.

Mr. Ferris, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claims of Hume & Adams for goods furnished for the Governor's house, amounting to \$128.77, have had the same under consideration, and recommend that the same be allowed and referred to the Committee on Ways and Means, and be incorporated in the specific appropriation bill.

Which was read and referred to the Committee on Ways and Means.

Mr. Lopp, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of

Wm. B. Matthews, of Illinois, for services rendered in arresting L. B. Calhoun, a fugitive from justice from the State of Indiana, have had the same under consideration, and, there being no evidence to sustain the claim, would recommend that the same be not allowed.

Which was concurred in.

Mr. Stafford, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of W. S. Graham for \$2,783.49, which amount he claims to have lost on a contract to furnish beef for the Hospital for the Insane during the years 1863-4, on account of the sudden rise in the price of beef cattle, have had the same under consideration, and in view of the dangerous precedent the payment of this claim would establish, would recommend that the same be not allowed.

Which was concurred in.

Mr. Blanch, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the communication of Dr. J. H. Wright, asking for an appropriation of \$500 to meet the expenses incurred in the arrest and conviction of Leon De La Foreb for the murder of Gasper M. Squier, near Lafayette, in March, 1866, and also to secure the arrest and conviction of his confederates in the same crime, have had the same under consideration, and return it to the House, and recommend its reference to the Committee on Ways and Means.

Mr. Shields, by consent, presented the claim of Mr. Sturgeon, in relation to the funeral expenses in the burial of the Hon. Mr. Shaffer, etc.

Which was referred to the Committee on Claims, without reading.

Mr. Scammahorn, from the Committee on the Rights and Privileges of the inhabitants of this State, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 320—a bill for protecting the community against quack physicians—have had the same under consideration, and direct me to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Belford, from the Committee on Railroads, made the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 253—a bill providing for the location, construction and use of lateral railroads, and for the assessment of damages occasioned by the location, construction and use of the same—have had the same under consideration, and direct me to report it back to the House and recommend its passage.

Which was laid on the table.

Mr. Thrasher, from the Committee on Roads, made the following report:

MR. SPEAKER:

Your Committee, to whom was referred House bill No. 302, have examined the same, and ordered me to report the bill back to the House and recommend its indefinite postponement.

Which was concurred in, and the bill was postponed indefinitely.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Committee on Enrolled Bills, to whom was referred Enrolled bills No. 175 and No. 272, direct me to report that they

have carefully examined and compared the same with the engrossed copies thereof, and find them correctly enrolled in all particulars.

The Speaker announced that he had signed House bills No. 175 and No. 272.

Mr. Brucker, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bill No. 313—a bill to incorporate Live Stock Insurance Companies—have had the same under consideration, and direct me to report the same back and recommend its passage.

Which was laid on the table.

Mr. Bobo, from the Committee on Corporations, made the following report :

MR. SPEAKER :

Your Committee on Corporations, to whom was referred House bill No. 241—to authorize the re-survey of towns—have considered the same, and directed me to report the same back to the House, and recommend that it do pass.

Which was laid on the table.

Mr. Bobo, from the Committee on Corporations, made the following report :

MR. SPEAKER :

Your Committee on Corporations, to whom was referred House bill No. 116—a bill in relation to joint stock insurance companies organized under the laws of Indiana—have had the same under consideration, and have directed me to return the same to the House, with the following amendments, and that when so amended, your committee recommend the passage of said bill:

Amend, by inserting after the word assets, in the first section, the following words: "And having filed, in the said Auditor's of-

fice, a sworn statement of a majority of the Directors of such company that there are no debts, claims, dues or demands unpaid against said company, and that all the policies of said company have been cancelled.

Also, amend, by adding section 2, as follows :

SEC. 2. And thereafter said insurancy shall take no more risks, nor do further business as an insurance company.

Which was laid on the table.

Mr. Brucker, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom has been referred House bill No. 312, entitled, "an act to authorize the Board of Trustees of any incorporated town in the State of Indiana, to lease any wharf or part of a wharf within the limits of said town, have had the same under consideration, and instructed me to recommend its passage.

Which was laid on the table.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills, to whom was referred joint resolution No. 9, also House bills No. 178 and 233, have had the same under consideration, and order me to report the same correctly engrossed.

Mr. Woods, from the Committee on Swamp Lands, made the following report :

MR. SPEAKER :

The Committee on Swamp Lands, to whom was referred House bill No. 163, entitled "a bill authorizing the Board of County



Commissioners to establish water courses, and locate ditches, in certain cases," have had the same under consideration, and instruct me to report the same back, with a recommendation that said bill be laid upon the table.

Which was concurred in.

Mr. McLean, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred the subject of the resolution of inquiry touching the title of Square No. 25, in the city of Indianapolis, known as " University Square," and all matters connected therewith, have had the same under consideration, and have directed me to present the following as an amendment to House bill No. 258, and when so amended recommend its passage.

Strike out all after the enacting clause, and insert the following :

That the Marion Circuit Court shall have jurisdiction to hear and determine any suit at law, or in equity, which may be instituted within one year from the passage of this act, by any person or persons, corporation or corporations, involving the title to or use of, or any claim or interest in Square No. 25, in the city of Indianapolis, commonly known as " University Square," subject to the right of appeal to the Supreme Court of Indiana, according to the principles and usages of law.

Sec. 2. The State may be made a party defendant in any such suit, and shall be represented therein by the Attorney General, and by such additional counsel, not exceeding one, as the Governor may designate and appoint, and the service of a copy of the bill or complaint on the Governor shall be a sufficient service as to the State.

Sec. 3. The said Marion Circuit Court shall have power, by its judgment or decree, to do full and complete justice in the premises, subject to the right of appeal, as aforesaid, and the judgment or



decree of said Court, if unappealed from, or if confirmed, in case of appeal, by the Supreme Court, shall be final and conclusive. In case of an appeal to the Supreme Court, if that Court shall remand the cause to the Marion Circuit Court for further proceedings, the jurisdiction conferred in this act shall continue and extend to the final determination of the controversy in both Courts, according to the principles and usages of law.

Sec. 4. It is hereby made the duty of the Governor to maintain for the State complete and full possession of said square No. 25, until divested thereof by the judgment or decree of the Marion Circuit Court, or of the Supreme Court of Indiana, and if not divested thereof by such judgment or decree, to continue to hold and maintain such possession until otherwise provided by law.

Sec. 5. It shall not be lawful for any person or persons, corporation or corporations, while said property remains in the care of the Governor, to make any improvements, either ornamental or otherwise, upon or around said square, or to plant trees, or to lay out walks through the same, or any part thereof, without the written permission and consent of the Governor first had and obtained, and no such permission or consent shall be given or be valid until the person or persons, corporation or corporations proposing to improve or adorn said property shall first file with the Governor a written specification of said proposed improvements, and the reasons therefor, together with a renunciation of all claims against the State or against said property for compensation therefor, and of all claim or pretense of any interest, right or title to said property, or any part thereof, or to the use or possession of the same, or any part thereof.

Which was laid on the table.

Mr. Fuller, from a Select Committee on Sheriff's mileage, made the following report:

MR. SPEAKER:

The Select Committee to whom was referred House resolution in reference to Sheriff's mileage, have had the same under consid-

eration and direct me to report a bill in compliance with said resolution, and recommend its passage.

Which was laid on the table.

#### INTRODUCTION OF BILLS, RESOLUTIONS, ETC.

Mr. Fuller introduced,

House bill No. 324. A bill to regulate the mileage of Sheriffs in conveying convicts to the State Prison, and repealing all laws in conflict therewith.

Which was read a first time and passed to a second reading.

Mr. Smith, of Lagrange, introduced,

House bill No. 325. A bill concerning divorces, and repealing all laws inconsistent therewith.

Which was read a first time, and referred to the Committee on Rights and Privileges of the Inhabitants of this State.

Mr. O'Neil introduced,

House bill No. 326. A bill to amend sections two, three and four, of an act entitled, "an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint, when necessary," approved May 29, 1852

Which was read a first time, and referred to the Committee on the Judiciary.

On motion by Mr. Spencer, House bill No. 19, was made the special order for to-morrow at 11 o'clock, A. M.

#### SPECIAL ORDER OF THE DAY.

The hour having arrived for the consideration of House bill No. 142, the same was taken up.

House bill No. 142. A bill authorizing the Board of Directors of street railway companies to raise funds to discharge the indebtedness of such companies by making a *pro rata* assessment against

stockholders, to make needful rules in relation thereto, to issue preferred stock in certain cases, and in relation to the individual liability of stockholders.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Black, Blanch, Bobo, Brucker, Corey, Crain, Crowe, Daggy, Douglass, Dunn, Edmonson, Ervin, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Litson, Long of Jackson, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, Newland, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Spencer, Stafford, Stewart, Thacher, Thrasher, Thomas, Vawter, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Wright and Mr. Speaker—78.

Those who voted in the negative were,

Messrs. Higgins and Matthis—2.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Messages from the Governor, by Mr. Commons, his Private Secretary.

MR. SPEAKER:

I am directed by Governor Baker to inform your honorable body that he has approved and signed joint resolution No. 18—"a joint resolution instructing the Governor to send an agent to the State  
H. J.—46.

of Mississippi, to secure the protection and release of Daniel Harrison, of Pike county, Indiana"—and that the same has been deposited in the office of the Secretary of State.

I am also directed to state that, under said resolution, he has appointed General John L. Mansfield as such agent, and instructed him to proceed without delay to the State of Mississippi.

I am also further directed by Governor Baker to inform your honorable body that he has approved and signed Enrolled act No. 2—an act to amend an act entitled "an act to incorporate the Preachers' Aid Society," approved February 12, 1841, and to authorize and require said incorporation to divide and pay over in equal shares to each Preachers' Aid Society in the several Annual Conferences in Indiana, the funds of said incorporation, by the 1st of January, 1868. Whereas, at the time of chartering the Preachers' Aid Society by an act of incorporation, approved February 12, 1841, there was but one Annual Conference of the Methodist Episcopal Church in Indiana, and a large fund having accumulated by donation and otherwise, of the friends throughout the State interested in the relief of superannuated and indigent ministers, and their wives and children, and the State, since that time, having been divided into four Annual Conferences; and whereas, in the judgment of those friendly to the objects contemplated by such incorporation, the original design of said Society would be better secured by an equal division of said fund between said four Conferences in Indiana, on condition that said fund shall in nowise be diverted from the original design of said Society; and whereas, the several Annual Conferences have organized within their bounds, under the laws, Preachers' Aid Societies corresponding to the original design of the Preachers' Aid Society of the Indiana Annual Conference," and that the same has been deposited in the office of the Secretary of State.

Mr. Sabin obtained leave of absence until Wednesday morning next.

Mr. Honneus introduced

House bill No. 327. A bill to procure the personal security of persons and property passing over railroads within this State, by

compelling railroad companies to securely fence their roads, to erect signal boards, and prescribing penalties for the violation of this act.

Which was read a first time, and passed to a second reading.

Mr. ——— introduced the following resolution :

WHEREAS, There are many important measures before this House, demanding its action, and,

WHEREAS, The constitutional limit of this session of the General Assembly has nearly expired, therefore,

*Resolved* That hereafter this House shall hold an extra session every Tuesday, Thursday and Friday nights until our final adjournment. Said sessions to convene at 7 o'clock, P. M.

Which was agreed to.

Mr. Dunn introduced the following resolution :

WHEREAS, Certain reports are now current, charging parties with using corrupt means for the purpose of legislative preferment; therefore be it

*Resolved*, That a special committee of five be appointed to investigate said charges, and that they have power to send for persons and papers, and if necessary, leave of absence for the present week.

Mr. Hughes offered the following amendment :

*Provided*, That a specific charge in writing shall be preferred, naming the person or persons accused, and the particulars of the charge, and shall be signed and sworn to by a responsible party before any evidence shall be heard by said committee, and the party charged shall have due notice and a fair hearing before said committee.

Mr. Vawter moved to lay the amendment on the table.

Which was agreed to.

Mr. McLean moved to lay the whole subject on the table.

Messrs. O'Neil and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bird, Crain, Griggs, Hays, Hopkins, Honneus, Hughes, McLean, Miller, Newcomb, Newland, North, Ross, Rosser and Wright—16.

Those who voted in the negative were,

Messrs. Barritt, Bischof, Black, Blanch, Bobo, Brueker, Corey, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin Evans Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Hamilton, Higgins, Hostetter, Hudson, Hungate, Inman, Litson, Long of Jackson, Lopp, Martin, Matthis, McCarthy, McClasky, McFadin, McMurray Moore, Morrison, Montgomery, O'Neil, Peelle, Prather, Ratliff, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Williams, Wilson, Wolfe, Wolfer, Wolfin, Woods and Mr. Speaker—68.

So the motion to lay on the table did not prevail.

Mr. Hughes offered the following amendment:

Add at the end of the resolution, "and that said committee shall be required to report in eight days."

Which was accepted by Mr. Dunn.

Mr. Miller offered the following amendment:

"And that there shall be no evidence heard by said committee against any one, until he have notice to be present before the committee, and have an opportunity to cross-examine the witness or witnesses."

Mr. Woods moved to amend the amendment as follows:

"*Provided*, That specific charges shall be made against persons named, and the committee shall not have leave of absence until such charge is made."

Which was accepted by Mr. Miller.

The amendment as amended was then agreed to.

The question being on the adoption of the amendment as amended.

Messrs. Vawter and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bischof, Blanch, Bobo, Brucker, Corey Crowe, Daggy, Dunn, Edmonson, Ervin, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Griggs, Hamilton, Higgins, Honneus, Hostetter, Hudson, Hungate, Inman, Litson, Long of Jackson, Lopp, Martin, Mason, Matthis, McCarthy McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Ratliff, Rosser, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith, of Lagrange, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Wood and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Hughes, Newland, Ross and Wright—4.

So the resolution was agreed to.

## ORDERS FOR THE DAY.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution thereof, to wit:

*Resolved by the Senate, the House of Representatives concurring,*  
That the Librarian be directed to furnish to each of the employees of this General Assembly, who has served in the army or navy for the suppression of the late rebellion, one copy each of each volume Adjutant General's report:

Was taken up.



Mr. Hughes moved to indefinitely postpone said resolution.  
Which was not agreed to.

The question recurring on the adoption of the resolution,  
It was agreed to.

A message from the Governor by Mr. Commons, his Private Secretary.

*To the Senate and House of Representatives :*

I herewith respectfully transmit the biennial report of Major General John L. Mansfield, of the condition of the Indiana Militia, he being the senior Major General, and earnestly commend to your consideration his suggestions as to the inefficiency of the present system, and the inadequacy of existing legislation.

It is devoutly to be hoped that the blessings of peace may be continuous, but it would not be the part of wisdom to act upon the assumption that such will be the case. Every State should have a well organized Militia, to the end that the public peace may be preserved and the laws enforced whenever circumstances arise rendering the civil authorities incompetent to the performance of that duty.

If the necessary legislation should be adopted, the present would seem to be an auspicious time for the organization of an efficient Militia.

The military spirit engendered by the late struggle, to some extent, still exists, and many of those who recently returned from the field would take a pride in making the knowledge and experience gained in the service useful to the State.

I trust that the entire subject will receive such consideration from the General Assembly as its importance deserves, and the obvious inefficiency of the present system demands.

On motion, the communication and report were referred to the Committee on Military Affairs.

#### SENATE BILLS ON FIRST READING.

Senate bill No. 2. A bill to provide for the registry of voters and



to punish fraudulent practice touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for the services of such officers.

Mr. Higgins moved that it be deemed expedient to suspend the Constitutional rule requiring bills to be read on three several days, by sections, and that said bill be read a first and second times, by title, to-day.

The ayes and noes were taken, under the Constitution.

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Brucker, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hudson, Hughes, Inman, Litson, Martin, Mason, Matthis, McCarthy McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shook Shoaff, Shuey, Skidmore, Smith of Lagrange, Spencer, Stafford Stewart, Thacher, Thrasher, Thomas, Vawter, Wilson, White Wolfer, Wolfin, Woods, and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Barritt, Bird, Crowe, Hostetter, Long of Jackson, McFakin, Newland, Seull, Stackhouse, Tebbs, Wolfe, and Wright—12.

So it was deemed expedient to suspend the Constitutional rule, and Senate bill No. 2 was then read a first and second times, by its title, and on motion, referred to the Committee on the Judiciary.

Mr. Higgins moved to reconsider the vote on adopting the Senate concurrent resolution giving the Adjutant General's report to employees.

Mr. Higgins offered the following amendment to said resolution :

And that said volumes be taken from those ordered to be deposited in the State Library.

Which was agreed to.

The question being on the adoption of the concurrent resolution, as amended,

Messrs. Hughes and Tebbs demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Fuller, Geisendorff, Greer, Griggs, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Litson, Long of Jackson, Lopp, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Thomas, Vawter, Williams, Wilson, Wolfe, Wolfer, Wolfin, Woods, and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Bird, Danaldson, Hughes, Hungate, Matthis, Newland, O'Neil, Shanks, Tebbs, and Thacher.—10.

So the concurrent resolution was adopted.

*Ordered*, That the Clerk inform the Senate thereof.

Senate bill No. 54. A bill authorizing the assessment of all the lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled, "an act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessments, provided the lands are situated within the county in which such road is located.

Was read a first time and referred to the Judiciary Committee.

Senate bill No. 143. A bill to amend an act, entitled "an act for the incorporation of high schools, academies, colleges, universities, theological and missionary boards," approved February 28, 1855.

Was read a first time, and referred to the Committee on Education.

Senate bill No. 151. A bill to amend the eleventh section of an act, entitled "an act touching the relation of guardian and ward," approved June 9th, 1852, and regulating suits on bonds of guardians removing from the State.

Was read a first time and passed to a second reading.

Senate bill No. 206. A bill creating the 22d Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Was read a first time and passed to a second reading.

Mr. Griggs moved to suspend the order of business and take up Senate bill No. 13.

Which was not agreed to.

Senate bill No. 35. A bill to amend sections nineteen and twenty of an act entitled "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852, defining the offences of grand and petit larceny and prescribing the punishment therefor.

Was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 75. A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner for the payment of the same.

Was read a first time and passed to a second reading.

Senate bill No. 86. A bill supplemental to an act entitled "an act for the incorporation of high schools, academies, colleges, universities, theological institutions and missionary boards," approved February 28, 1855.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 89. A bill providing for the incorporation of steam packet companies.

Was read a first time and referred to the Committee on Corporations.

Senate bill No. 164. A bill to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.

Was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 191. A bill supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies, for mechanical, chemical and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 7, 1867."

Was read a first time and referred to the Committee on Corporations.

Senate bill No. 214. A bill to authorize cities to prepare, execute, negotiate and sell bonds to provide means to complete unfinished school buildings and to pay debts contracted for the erection of school buildings and to authorize the levy and collection of an additional special tax to provide means for the payment of the interest and principal of such bonds, and declaring an emergency."

Was read a first time and referred to the Committee on Education.

Senate bill No. 79. A bill providing for the incorporation of electric companies.

Was read a first time and referred to the Committee on Railroads.

Senate bill No. 175. A bill for the incorporation of companies for the purpose of buildings to be used or occupied in whole or in part for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies or lodges.

Was read a first time and referred to the Committee on the Judiciary.

Mr. Ross moved to take House bill No. 141 from the table, and place the same on the files of the House.

Which was agreed to.

Senate bill No. 75. A bill for the incorporation slack water navigation companies, and defining their powers and duties.

Was read a first time, and passed to a second reading.

Senate bill No. 212. A bill to regulate the arrest and surrender of fugitives from justice, from other States and territories.

Was read a first time, and passed to a second reading.

Senate bill No. 125. A bill to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 41. A bill to authorize incorporated towns and townships to subscribe for, purchase and hold stocks, and make donations to turnpike, plank road, railroad, railway and slack water navigation companies, and matters properly connected therewith, and declaring an emergency.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 152. A bill to legalize and make valid certain county bonds, and to provide for the payment of the same.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 111. A bill authorizing Township Trustees, Trustees of incorporated towns, and the Common Councils of cities to levy a tax for school purposes.

Was read a first time, and referred to the Committee on Education.

Senate bill No. 38. A bill to amend section 20 of an act entitled, "an act to amend an act entitled an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved December 20, 1865.

Was read a first time, and referred to the Committee on Roads and Highways.

Senate bill No. 96. A bill to amend the 716 section of an act entitled, "an act concerning the writ of habeas corpus.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 103. A bill to prevent persons from injuring or destroying insured property, and from making false proofs thereof, prescribing penalties for the same.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 119. A bill amending the 13 section of the act approved June 4, 1861, entitled "an act to provide for the incorporation of Street Railroad Companies."

Was read a first time, and referred to the Committee on Corporations.

Senate bill No. 118. A bill to require clerks of the Courts of Common Pleas to specify by separate items the fees and services for which they may demand payment of Executors, Administrators or Guardians.

Was read a first time, and passed to a second reading.

#### SENATE BILLS ON SECOND READING.

Senate bill No. 102 was read a second time, and passed to a third reading.

Senate bill No. 40, with amendments heretofore reported, was read a second time.

The amendments were agreed to, and the bill as amended was passed to a third reading.

Senate bill No. 102. A bill to provide for the custody and management of the notes, bonds and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners, to continue in force all laws and parts of laws in force on the twentieth day of January, 1867, which are applicable to said loans, and the securities therefor; to clothe the Auditor of State with the powers, and subject him to the duties in relation to said loans and securities therefor, which by said laws are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and periods of payment of such allowance for expenses; substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners; and declaring an emergency, for the immediate taking effect of this act, and providing for the Auditor of State to execute bond and payment of all moneys into the State Treasury.

The amendments, heretofore reported by the Committee, were read.

Mr. Shuey offered the following amendment:

Strike out "thirty-five hundred," and insert in lieu thereof, "one thousand."

The question being on concurring in the first amendment, recommended by the Committee,

The same was not agreed to.

Pending the vote on the amendment offered by Mr. Shuey.

On motion by Mr. Newcomb, the House adjourned.

WEDNESDAY MORNING, 9 O'CLOCK, }  
February 26, 1867. }

The House met.

On motion by Mr. Belford, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Shull,

A petition from sundry citizens of Wells county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Skidmore,

Two petitions from sundry citizens of Vermillion county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.

By Mr. Wolfe,

A remonstrance from sundry citizens of Sullivan county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Shoaff,

A petition from sundry citizens of Allen county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.



By Mr. Ervin,

Two petitions from sundry citizens of Delaware county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.

By Mr. Douglass,

A petition from sundry citizens of Whitley county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Van Vaulkenburgh,

A petition from sundry citizens of Starke county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Martin,

A petition from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Thacher,

A petition from sundry citizens of Shelby county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Foulke,

A petition from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Smith, of Wabash,

A petition from sundry citizens of Wabash county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Shook,

A petition from sundry citizens of Ripley county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Chambers,

A petition from sundry citizens of Henry county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Long, of Kosciusko,

A petition from sundry citizens of Kosciusko county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Moore,

A petition from sundry citizens of Decatur county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Peelle,

A petition from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Honneus,

A petition from sundry citizens of Clarke county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Martin,

A petition from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. McFadin,

A petition from sundry citizens of Cass county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. McClasky,

A petition from sundry citizens of Montgomery county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Belford,

A petition from sundry citizens of Laporte county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Miller,

A petition from sundry citizens of Tippecanoe county, asking for a prohibitory law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Smith, of Wabash,

A petition from sundry citizens of Wabash county, on the subject of Temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Black,

A petition from Sundry citizens of Madison county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. McLean,

A petition from sundry citizens of Vigo county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Foulke,

A memorial from sundry ladies of Wayne county, asking for a prohibitory liquor law.

Which was read, and referred to the Committee on Temperance.

By Mr. Smith, of Wabash,

A petition from sundry citizens of Wabash county, asking for a prohibitory law.

Which was referred to the Committee on Temperance, without reading.

#### REPORTS OF STANDING COMMITTEES.

Mr. Ross, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 95, entitled "an act to amend an act entitled an act providing for

the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, approved December 20, 1865, have had the same under consideration, and authorize me to report the same back, with one amendment, and when so amended, recommend its passage.

Amend by striking out of section twenty, as amended, the following :

And may assess a tax not less than two or more than five cents on each acre of taxable land, for road purposes.

Which was laid on the table.

Mr. Ross, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 281—entitled "an act regulating the fees of Clerks of the Circuit and Common Pleas Court, and supplemental to an act regulating the fees of officers, and repealing acts in relation thereto, approved March 2, 1855"—have had the same under advisement, and authorize me to report the same back, and recommend that it be laid upon the table.

Which was concurred in.

Mr. Ross, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 44—a bill entitled an act supplemental to an act to exempt property from sale in certain cases," approved February 17, 1852—have had the same under consideration, and direct me to report the same back, with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Newcomb, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred House bill No. 277—a bill to amend section 123 of an act entitled “an act to amend section 123 and 136 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State, approved June 21, 1852, and to repeal sections 138, 139 and 140 of said act, approved June 3, 1861”—have had the same under consideration, and direct me to report the same back to the House, with the following amendments :

Amend by striking out, in the first line of the title of the bill, “123,” and insert “one of,” so as to read “section one of,” and further amend by striking out of the amended section, page 4, lines 19, 20 and 21, the following words, to-wit: “And shall note therein, in a marginal column, the reason assigned by such Treasurer why such taxs could not be collected,” and when so amended the Committee recommend the passage of the bill.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Newcomb, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred House bill No. 174—a bill to encourage the re-publication of Blackford's Reports, and appropriating money to pay for the same—have had the same under consideration, and direct me to report the same back to the House with the following amendments :

Insert after the word “Reports,” in the tenth line of section one, the following: “from volume one to volume four, inclusive.” Further amend the first section by striking out of the eighth line thereof

the words "the same number," and insert "three hundred copies." Add to the end of section one, the following: "*Provided*, That not more than two volumes of said reports shall be published in any one year," and when so amended, the committee recommend the passage of the bill.

Which was laid on the table.

Mr. Corey, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 228—entitled an act to repeal an act to amend section 35 of an act to provide for a general system of common schools—have had the same under consideration, and instructed me to report the same back to the House with the recommendation that it lie on the table, for the reason that the subject matter of said bill has heretofore been acted on by the committee, and their advice reported to this House.

Which was concurred in.

Mr. Woods, from the Committee on Swamp Lands, made the following report:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred House bill No. 246—a bill in relation to the improvement of swamp lands—have directed me to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Crain, from the Committee on Railroads, made the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred Senate bill No. 79—on the subject of incorporating Telegraph companies—

have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Chambers, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 104—entitled a bill to amend section 35 of an act repealing all general laws now in force for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, approved December 20, 1865—have had the same under consideration, and have instructed me to report the same back and recommend that it be laid on the table.

Which was concurred in.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled Senate act No. 42, and transmitted the same to the Executive Department.

Also, that he has signed Enrolled House acts Nos. 175 and 272.

And, further, that he transmits Enrolled Senate act No. 166 for the signature of the Speaker of the House of Representatives.

Mr. Chambers, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 172—an act regulating the laying out of towns and cities—have had the same under consideration, and direct me to report the same back to the House and recommend its passage.

Which was laid on the table.



Mr. Smith, of Wabash, from the Committee on Canals, made the following report:

MR. SPEAKER:

The Committee on Canals, to whom was referred the memorial of Wm. Eichelberger and others, asking for indemnity from the State for losses sustained by them on account of the failure of the supply of water under their respective leases, have had the same under advisement, and authorize me to report the same back with the recommendation that the further consideration of the subject matter of said memorial be indefinitely postponed.

Which was concurred in.

The Speaker announced that he had signed Senate bill No. 166.

#### INTRODUCTION OF BILLS, RESOLUTIONS, ETC.

Mr. White offered the following resolution:

*Resolved*, That the Committee on the Judiciary be requested to return to this House, House bill No. 37, declaring bribery a felony, and prescribing punishment therefor, with its recommendations.

Which was agreed to.

Mr. McMurray, from the Committee on Public Buildings, made the following report:

MR. SPEAKER:

In obedience to a House resolution, the Committee on Public Buildings would respectfully submit the following report:

1st. After a careful examination of the Miller building, situated on the south east corner of Illinois and Ohio streets, and Indiana avenue, containing six large rooms, twenty feet wide, ninety feet long and fourteen feet high, which he proposes to rent or lease to the State for \$5,000, payable annually; otherwise he proposes to exchange the building and lot, 120 and 120 feet, containing 14,400 square feet, as it now stands, one story high, for the State's lot, on the corner of Washington and Tennessee streets, and \$30,000—making his

building and lot cost the State \$45,000, \$46,000 or \$47,000. Your Committee are of the opinion that the Miller building is both strong and substantial, and is capable of being run two or three stories higher, and the rooms are large enough for vaults, both fire and burglar proof, if desired.

2nd. The Committee deems it unnecessary to say much about the Gallup building, inasmuch as there has been a report made upon that subject, and we suppose all the members of each House have made up their minds in relation to the propriety of leasing or renting it at 4,000 per annum, or of purchasing, as it now is, for \$32,000.

3rd. Also, they deem it unnecessary to say anything in relation to the McOuatt building, now occupied by the State offices, only that the State is now paying \$3,000 annually for the rooms now occupied.

After examining all the buildings that are offered to be leased or rented to the State, neither of them are, in the judgment of the committee, suitable, as they now are, and some of them can not be made suitable, in consequence of their inadequate size and forms, for vaults to be built in them for the safe keeping of the public archives, and especially fire and burglar proof vaults, for the safe keeping of the public moneys. Further, your Committee cannot quit this subject without presenting some thoughts and calculations; and first, in the language of your former Treasurer of State, it cannot be creditable that the State should continue from year to year to occupy rented buildings for her public offices. It is a narrow policy that can see economy in such a course. There is no building in the city suitable for the Auditor's, Treasurer's and Secretary's offices; at least not enough so to warrant its purchase. And the one now occupied is far from safe, as it is not fire-proof and has not a single vault for the preservation of the invaluable records and papers stored therein.

For example, take the average rent proposed—\$4,000 per annum—for six years, which would amount to \$24,000. If, at the expiration of that time, you have no new State House, you will necessarily resort to the same penny-wise and pound-foolish system of renting eight or ten years longer. Indeed, it is idle to suppose, for a moment, that you will have a new State House in less than twelve or fifteen years, such as Indiana should have. Fifteen years, at \$4,000 per year, is \$60,000; besides the little and innumerable

expenses connected with this miserable renting system, which would amount to at least \$10,000 for fifteen years, making the grand total of \$70,000. The committee feel confident that this amount will fall short rather than exceed the actual amount that will be expended.

In view of all these facts, your committee would earnestly urge this Legislature, without delay, to make reasonable, if not a liberal appropriation to erect a building on the corner of Washington and Tennessee streets, on the lot of ground belonging to the State, suitable for the State offices, Supreme Court, with all other offices necessary. The committee have not made up their judgment without consulting a first-class architect, as to the size of the lot, character of the building, and its cost, etc., and your committee, with other persons of large experience in business, feel safe in saying, at the end of twelve or fifteen years, that the property will be worth the greater part, if not the entire original cost. Thus the State will, in twelve or fifteen years, save at least sixty or seventy thousand dollars by building, and we do hereby recommend the passage of bill No. 286, for the building of State offices—the bill introduced by Mr. Crain.

Which was laid on the table.

Mr. Litson offered the following resolution :

WHEREAS, A bill is now pending in the Congress of the United States, commonly known as the "Eight Hour Bill," therefore be it

*Resolved*, By the House of Representatives, (the Senate concurring,) that our Senators be instructed and our Representatives be requested to use their influence for the passage of said bill.

Mr. Spencer moved to lay the resolution on the table.

Messrs. Scammahorn and Spencer demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Douglass, Ferris, Geisendorff, Greer, Griggs, Hudson, Long of Kosciusko, Mason, Matthis, McMurray, Smith of Wabash, Spencer, Williams and Mr. Speaker—14.

Those who voted in the negative were,

Messrs. Barritt, Belford, Bird, Bischof, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Dunn, Edmonson, Eryin, Evans, Foulke, Fuller, Hopkins Honneus, Hughes, Hungate, Inman, Litson, Long of Jackson, Martin, McCarthy, McClasky, McFadin, McLean, Miller, Moore, Montgomery, Newcomb, North, Peelle, Ratliff, Ross, Scammahorn, Shanks, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wilson, White, Wolfe, Wolfer, Wolflin and Woods—58.

So the motion to lay on the table did not prevail.

Mr. Stewart moved to refer said resolution to the Committee on the Rights and Privileges of the Inhabitants of the State.

Messrs. Thacher and Litson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford Bird, Bobo, Brucker, Campbell, Douglass, Ervin, Evans, Ferris, Funk, Geisendorff, Greer, Griggs, Hartman, Hamilton, Hopkins, Honneus, Hudson, Hughes, Long of Kosciusko, Martin, Matthis, McClasky McLean, McMurray, Miller, Moore, Newland, North, Prather, Ratliff, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Thomas, Williams, Wilson, Wolfe, Wolfer, Woods, Wright and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Barritt, Bischof, Chambers, Crain, Crowe, Dunn, Edmonson, Foulke, Fuller Hungate Inman Litson, Long of Jackson, McCarthy, McFadin, Morrison, Montgomery, Peelle, Ross, Shields, Shoaff, Smith of Lagrange, Tebbs, Thacher, Van Valkenburgh, Vawter, White and Wolflin—28.

So the motion prevailed, and the resolution was referred to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Vawter, by consent, presented a petition from N. Y. Schofield and others, protesting against certain proposed changes in the road laws.

Which was referred to the Committee on Roads, without reading.

Mr. Bischof introduced

House bill No. 328. A bill to amend the first section of an act entitled an act to amend the fortieth clause of section thirty of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said City of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the laws of the commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river, at or near Evansville, Indiana.

Which was read a first time, and referred to the Committee on Corporations.

Message from the Senate, by Mr. Wilson, their Clerk:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of representatives that the Senate has concurred in House amendment to a Senate concurrent resolution, giving to the Employees of the General Assembly one copy each of the Adjutant General's Report.

Mr. Ferris introduced

House bill No. 329. A bill to amend section one of an act for the incorporation of high schools, academies, colleges, universities, theological institutions and missionary boards, approved February 28, 1855.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Foulke introduced

House bill No. 330. A bill in relation to practitioners of medicine.

Which was read a first time, and, on motion by Mr. Foulke, was referred to a Select Committee of five.

Mr. Long, of Jackson, presented the following notice:

Notice is hereby given that, as soon as it can be heard, a motion will be made to change House rule No. 36 by adding, after the last word in said rule, these words: "Except by unanimous consent of the House."

Which was laid over under the rules.

Mr. Hughes introduced

House joint resolution No. 21. A joint resolution to provide for the binding and stationery necessary in the public printing.

Which was read a first time, and referred to a Special Committee.

The Speaker announced the following Committee, in pursuance of House resolution No. 69, to investigate "certain reports, charging parties with using corrupt news for the purpose of legislative preferment," viz:

Messrs. Dunn, Higgins, Shoaff, Smith of Lagrange, and Stackhouse.

Mr. Huges offered the following resolution:

*Resolved*, That Hon. Wm. R. Kinney, late a Union member of the Legislature of Kentucky, and the mover in that body of the adoption of the amendment to the Constitution of the United States for the emancipation of the slaves of the south, and who is now present in this city, be invited to a seat on the floor of this House.

Which was concurred in.

## SPECIAL ORDER OF THE DAY.

The House having arrived for the consideration of Senate bill No. 161, a bill to establish a House of Correction for juvenile offenders.

The same was taken up.

The question being on the motion made by Mr. Peelle, to strike out the twelfth section of said bill.

It was not agreed to.

Mr. Stafford offered the following amendment to said bill:

Strike out of the first line of section eleven, the word "eleven," and insert "twenty," in lieu thereof.

Mr. Hughes moved to refer said bill and amendments to a Committee of the whole House.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed Enrolled Senate act No. 166, and has transmitted the same to the Executive of the State for his signature thereto.

The Speaker announced the following Special Committee on House bill No. 330:

Messrs. McCarthy, Long of Kosciusko, Barritt, Brucker, and Hostetter.

On motion, by Mr. Shuey, the House resolved itself into a Committee of the Whole, with Mr. Higgins in the Chair.



After remaining in session for some time, the Committee rose and made the following report, through Mr. Higgins, their Chairman:

MR. SPEAKER:

The Committee of the Whole House, to whom was referred Senate bill No. 161, have had the same under consideration, and have made some progress therein and ask leave to meet again.

Which was concurred in.

On motion by Mr. O'Neil, the House adjourned.

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TWO O'CLOCK, P. M.

The House met.

SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 214.

The same was taken up.

Mr. Campbell moved to postpone the further consideration of said bill, and make it the special order for the day on Wednesday next, at 10 o'clock.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed House bill, to-wit:



House bill No. 53, entitled "a bill fixing the time of holding the Common Pleas Court in the county of Grant."

Also, that the Senate has passed the following Engrossed bills thereof, to-wit:

Senate bill No. 203, entitled "an act extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith."

Senate bill No. 223, entitled "an act to amend the first section of an act entitled an act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter, approved January 27, A. D. 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the common council of said city of Evansville, to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation, organized under, and by virtue of the laws of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, Tennessee, to a point on the Ohio river at or near Evansville, Indiana.

Senate bill No. 281, entitled "an act to amend section twenty-seven of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

In which the concurrence of the House is respectfully requested."

Message from the Governor, by Mr. Commons, his Private Secretary.

MR. SPEAKER:

I am directed by Governor Baker, to inform your honorable body, that he has approved and signed Enrolled act No. 175, an

act to amend an act entitled "an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Also, Enrolled act No. 272, "an act to create the twenty-second District of the Court of Common Pleas, of Indiana; to fix the time of holding the courts of said District, and to repeal all laws in conflict therewith, and that the same have been deposited in the office of the Secretary of State.

### ORDERS OF THE DAY.

Pending the adjournment on yesterday, was the consideration of Senate bill No. 102.

The question being on the amendment offered by Mr. Shuey, the same was withdrawn.

Mr. Newcomb offered the following amendment:

Amend the bill by striking out the third section, and inserting in lieu thereof, the following: "The Auditor of State shall have the same power to pay the incidental expenses necessarily attending the proper management and safe keeping of said fund that were heretofore possessed by the Commissioners of the Sinking Fund, and for every item of expense so incurred, the Auditor shall take and preserve a proper voucher, all of which vouchers shall be subject to the examination of the proper committees of the next General Assembly; and there shall be allowed to the Auditor of State, for the services required of him by this act, the sum of one thousand dollars per annum; and there is hereby appropriated the sum of two thousand dollars annually for clerk hire, such clerk or clerks to be appointed by the Auditor of State, and the salaries herein provided for, shall be payable quarterly out of said sinking fund."

Mr. Higgins being in the chair,

Mr. Branham moved to recommit the bill to the Committee on the Sinking Fund, with instructions to so amend the same as to place the fund under the control of the State Debt Sinking Fund

Board, and making the Auditor of State the President of the Board.

Mr. Miller moved to lay the motion to recommit, with instructions, on the table.

Messrs. Branham and Montgomery demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Foulke, Griggs, Hopkins, Miller, Newcomb, O'Neil, Peelle, Prather, Skidmore, Smith of Wabash, Stewart, and Thomas—13.

Those who voted in the negative were,

Messrs. Barritt, Bird, Bischof, Bobo, Campbell, Chambers, Corey, Crowe, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Funk, Fuller, Geisendorff, Greene, Greer, Hartman, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Morrison, Montgomery, North, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Smith of Langrange, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Williams, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—70.

So the motion to lay on the table did not prevail.

The question being on the motion by Mr. Branham, to recommit said bill, with instructions,

Mr. Long of Jackson, offered the following amendment as instructions:

Direct the committee to present a bill dividing said funds among the counties of this State.

Mr. Branham moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment by Mr. Long of Jackson

It was agreed to.

The question recurring on Mr. Branham's motion to recommit, with instructions,

Messrs. Chambers and Tebbs demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Blanch, Bobo, Brucker, Chambers, Crowe, Dunn, Edmonson, Fuller, Greene, Greer, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, Martin, Matthis, McFadin, McLean, Morrison, Montgomery, O'Neil, Ross, Shields, Shoaff, Shull, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Van Valkenburg, Vawter, Williams, Wilson, White and Wolfe—40.

Those who voted in the negative were,

Messrs. Belford, Bischof, Campbell, Crain, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hudson, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Skook, Skidmore, Smith of Lagrange, Smith of Wabash, Stewart, Thrasher, Thomas, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—45.

So the motion to recommit did not prevail.

The question being on the motion of Mr. Newcomb,

Mr. Crain moved to lay the amendment on the table.

Which was agreed to.

Mr. Hughes moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

Mr. Newcomb moved to reconsider the vote whereby the House seconded the motion for the previous question.

Which was agreed to.

Mr. Bobo moved to recommit the bill, with instructions to the committee to report a bill by which the fund shall be distributed among the several counties of the State, in proportion to the population, and loaned out at 7 per cent.

Mr. Hughes moved to lay the amendment on the table.

Messrs. McFadin and Shoaff demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Campbell, Chambers, Crain, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hudson, Hughes, Long of Kosciusko, Martin, McCarthy, McClasky, McLean, McMurray, Miller, Moore, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wilson, Wolfen, Woods, Wright, and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Crowe, Edmondson, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, McFadin, Morrison, Montgomery, Newcomb, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Thacher, Van Valkenburgh, Vawter, Williams, and Wolfe—28.

So the motion to lay on the table prevailed.

Mr. Miller moved that the bill be recommitted to the Committee on the Sinking Fund.

Mr. Miller moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on recommitting said bill to the Committee on Sinking Fund.

It was agreed to.

#### HOUSE BILLS ON THIRD READING.

House bill No. 50. A bill defining what counties shall constitute the Thirteenth Judicial Circuit, and fixing the times of holding Courts therein.

Was read a third time, and, on motion, laid on the table.

House bill No. 133. A bill to amend the 38th section of an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Bobo, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Greene, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Martin, Mason, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ross, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, White, Wolfe, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker.—70.

Those who voted in the negative were,

Messrs. Bird, Hudson, Lopp, Matthis, Newland, and Wilson—6.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House joint resolution No. 10. A joint resolution for the relief of David L. Stephenson.

Was read a third time.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Chambers, Crain, Crowe, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greene, Greer, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Long of Jackson, Long of Kosciusko, Lopp, Martin, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, Newland, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammarhorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—84.

No one voting in the negative.

So House joint resolution No. 10 passed.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. PRESIDENT :

I am directed by the Senate to inform the House of Representa



tives that the Senate has passed the following engrossed bill thereof, to-wit :

Senate bill No. 97, entitled an act designating certain holidays, and relative to negotiable paper falling due thereon,

In which the concurrence of the House is respectfully requested.

House bill No. 145. A bill to amend the seventh clause of section twenty-two of an act entitled "an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved, June 11, 1852.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Blanch, Brucker, Campbell, Crain, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Higgins, Hopkins, Hostetter, Hudson, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Morrison, North, Peelle, Prather, Ratliff, Ross, Rosser, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Bobo, Crowe, Fuller, Hays, Honneus, Hungate, Inman, Matthis, Miller, Montgomery, Shanks, Shields, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, and Wolfe—17.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill ?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Greene, the House adjourned.



The House met.

House bill No. 243. A bill prescribing the manner in which railroad corporations within this State may be consolidated with railroad corporations within or without this State, prescribing penalties for the violation of this act, and declaring an emergency therefor.

Was read a second time, and ordered to be engrossed.

Joint resolution No. 13. A joint resolution instructing our Senators, and requesting our Representatives, in Congress to secure the passage of a law, by which the damages and losses incurred by certain citizens of Indiana by the Morgan raid, be paid.

Was read a second time, and referred to the Committee on Federal Relations.

House bill No. 71 was read a second time, and, on motion by Mr. Bobo, indefinitely postponed.

House bill No. 121. A bill providing for the incorporation of Electric Telegraph companies.

Was read a second time, and, on motion, was laid on the table.

House bill No. 151. A bill to amend the thirteenth section of an act entitled "an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, power and duties in civil cases," approved June 9, 1852.

Was read a second time, and, on motion, laid on the table.

House bill No. 231. A bill to amend the one hundred and twenty-third section of an act entitled "an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Which was read a second time, and laid on the table.

House bill No. 235. A bill to amend the eighty-fourth section of an act entitled "an act repealing all general laws now in force for the incorporation of towns and cities," etc.

Mr. Higgins moved to amend by adding after the words "convey by deed under the hand of the Mayor and seal of said city," to-wit: that "any money arising from the sale of a public square, or any to be expended in purchasing another square, and for the improvement of the same."

Which was agreed to, and the bill, as amended, ordered to be engrossed.

House bill No. 259. A bill to amend the twenty-seventh section of an act entitled "an act defining felonies, and prescribing punishment therefor, approved June 10, 1852.

Was read a second time, and ordered to be engrossed.

House bill No. 19. A bill to regulate, and make uniform, the prices of freight upon railroads in this State.

Was read a second time. The amendment heretofore reported was read and agreed to.

Mr. Stafford moved to amend by inserting "three and one-quarter cents per mile for transportation of passengers."

Mr. Belford moved to lay the amendment on the table.

Messrs. White and Morrison demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Campbell, Corey, Crain, Daggy, Edmonson, Foulke, Funk, Fuller, Greer, Griggs, Hamilton, Higgins, Hudson, McCarthy, McLean, McMurray, Miller, Newcomb, North, Prather, Ratliff, Ross, Scammahorn, Shoaff, Skidmore, Thrasher, Thomas, Wason, Wolfer, Wright, and Mr. Speaker—34.

Those who voted in the negative were,

Messrs. Barritt, Blanch, Bobo, Brucker, Chambers, Crowe, Douglass, Dunn, Ervin, Ferris, Geisendorff, Gordon, Greer, Honneus, Hostetter, Hughes, Hungate, Inman, Litson, Long of Jackson, Lopp, Martin, McClasky, McFadin, Moore, Morrison, Montgomery,

Newland, Peelle, Rosser, Shields, Shook, Shull, Smith of La-grange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Vawter, Williams, Wilson, White, Wolfe and Wolfin—47.

So the motion to lay on the table did not prevail.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred Enrolled bill No. 53, have carefully compared it with the engrossed copy thereof, and direct me to report that they find the same correctly enrolled.

The Speaker announced that he had signed House bill No. 53.

Mr. Stewart moved that House bill No. 19 be recommitted to the Committee on Railroads.

Mr. Stafford asked and obtained leave to withdraw his amendment.

Said bill was then ordered to be engrossed.

Mr. Miller moved to take up House bill No. 126.

Which was agreed to.

House bill No. 126. A bill to lease the Northern State Prison, and prescribing the terms and conditions in reference thereto, was taken up, the same having previously been read a second time.

The question pending, being on the motion made by Mr. Higgins, to recommit said bill to the Committee on the State Prison North.

Mr. Wolfe moved to lay the motion to recommit on the table.

Messrs. Higgins and Stafford demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Black, Bobo, Chambers, Corey, Crain, Crowe, Douglass, Fuller, Gordon, Greene, Hopkins, Honneus, Hungate, Litson, McFadin, McLean, Miller, Newland, Ross, Rosser, Shanks, Shields, Shook, Skidmore, Tebbs, Thacher, Vawter, Wolfe, Wolfer and Wolflin—31.

Those who voted in the negative were,

Messrs. Bischof, Blanch, Brucker, Campbell, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Hartman, Hamilton, Higgins, Hostetter, Hudson, Hughes, Lopp, Martin, Matthis, McCarthy, McClasky, McMurray, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Seammahorn, Shoaff, Shull, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, White, Wright and Mr. Speaker—50.

So the motion to re-commit was not laid on the table.

The question being on the motion, by Mr. Higgins, to recommit

Mr. Miller moved that the committee be instructed to report the bill back on Friday morning next.

Mr. Crain moved that the committee be instructed to amend as follows:

That the Governor be, and he is hereby authorized and empowered, whenever in his judgment the public interests may require it, to appoint one or more visitor, not exceeding three in number, to visit and inspect the said prison and its management, including the official action of its officers and employees, and such visitor or visitors shall be permitted to examine the books, accounts and expenditures of said prison, and shall report to the Governor the results, making such recommendations as to the correction of any abuses which may be found to exist, and such suggestions as to reforms, as their investigation may, in their judgment, require; and said visitors shall have power to administer oaths, and take the testimony of witnesses in the prosecution of their investigations, and

send for persons and papers: *Provided*, that no visitor so appointed shall receive any compensation for his services, except his actual expenses.

Mr. Matthis moved to lay the amendment on the table.

Which was agreed to.

Mr. Shoaff offered the following amendment:

Amend section seven as follows: Strike out all in the third line of said section, after the word "the" and including the first word in the fourth line, and insert the word "Governor."

Mr. Newcomb offered the following amendment:

Amend by striking out the provision requiring the State to keep the prison in repairs, and insert a provision "that the lessees shall keep the prison in repairs, and return it to the State at the expiration of the lease, in the same order and repair in which they receive it, ordinary wear and accident by fire excepted."

Mr. Hughes moved to indefinitely postpone the whole subject of leasing the State prisons, North and South.

Mr. Stackhouse moved to lay the motion to indefinitely postpone on the table.

Messrs. Honneus and Shoaff demanded the ayes noes.

Those who voted in the affirmative were,

Messrs. Barritt, Black, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Douglass, Edmonson, Fuller, Gordon, Greene, Griggs, Honneus, Hungate, Inman, Long of Jackson, Lopp, McClasky, McFadin, McLean, Miller, Morrison, Newland, Ross, Rosser, Shanks, Shields, Shook, Shull, Skidmore, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thacher, Vawter, Wolfe, and Wolfiin.—40.

Those who voted in the negative were,

Messrs. Bird, Bischof, Blanch, Campbell, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Hamilton, Hig-

gins, Hostetter, Hudson, Hughes, Litson, Martin, Matthis, McCarthy, McMurray, Moore, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Scammahorn, Shoaff, Smith of Lagrange, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, White, Wright, and Mr. Speaker—42.

So the motion to lay on the table did not prevail.

The question being on the motion made by Mr. Hughes to indefinitely postpone.

Mr. Thacher moved that the House do now adjourn.

Which was not agreed to.

Mr. Stewart moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question recurring on the motion by Mr. Hughes, to indefinitely postpone the whole subject,

Messrs. Ross and Shoaff demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Campbell, Daggy, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Hartman, Hamilton, Higgins, Hostetter, Hudson, Hughes, Litson, Martin, Matthis, McCarthy, McMurray, Moore, Newcomb, North, Peelle, Ratliff, Scammahorn, Shoaff, Shull, Smith of Lagrange, Spencer, Stafford, Stewart, Thrasher, Wason, Wilson, Wright, and Mr. Speaker—39.

Those who voted in the negative were,

Messrs. Barritt, Black, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Douglass, Edmonson, Ervin, Fuller, Greene, Greer, Griggs, Hopkins, Honneus, Hungate, Inman, Long of Jackson, Lopp, McClasky, McFadin, McLean, Miller, Morrison, Montgomery,

Newland, Prather, Ross, Rosser, Shanks, Shields, Shook, Skidmore, Smith of Wabash, Stackhouse, Tebbs, Thacher, Thomas, Vawter, White, Wolfe, and Wolfer—44.

So the motion to indefinitely postpone did not prevail.

The question recurring on the motion to recommit said bill,  
It was agreed to.

Mr. Higgins moved that the Committee on the State Prison North be allowed to sit during the session of the House.

Which was not agreed to.

On motion by Mr. Wilson, the House adjourned.

WEDNESDAY MORNING, 9 O'CLOCK, }  
 February 26, 1867. }

The House met.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, CLAIMS, REMONSTRANCES, ETC.

By Mr. Skidmore,

Three petitions from sundry citizens of Vermillion county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Wason,

A petition from sundry citizens of Lake county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Moore,

A petition from sundry citizens of Decatur and Shelby counties, asking for a change in the boundary line between said counties.

Which was read and referred to the Committee on County and Township Business.

By Mr. Chambers,

A petition from sundry citizens of Henry county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. White,

A petition from sundry citizens of Hancock county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.



By Mr. Hamilton,

A petition from sundry citizens of Monroe county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Martin,

A petition from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading

By Mr. Bobo,

A memorial from Terre Haute, in relation to city taxes.

Which was referred to the Special Committee on Cities and and Towns, without reading.

By Mr. Geisendorff,

A petition from sundry citizens of Noble county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Ervin,

A petition from sundry citizens of Delaware county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Prather,

A petition from sundry citizens of Jennings county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. McCarthy,

A petition from sundry citizens of Porter county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Williams,

A petition from sundry citizens of Brown county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Van Valkenburgh,

A petition from sundry citizens of Marshall county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Smith, of Wabash,

A petition from sundry citizens of Wabash county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Wolfe,

A petition from sundry citizens of Sullivan county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Foulke,

Two petitions from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.

By Mr. Douglass,

A petition from sundry citizens of Whitley county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Griggs,

A memorial, which was referred to the Committee on the Judiciary, without reading.

By Mr. Long, of Jackson,

A petition from sundry citizens of Jackson county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Lopp,

A petition from sundry citizens of Harrison county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Blanch,

A petition from sundry citizens of Howard county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Long, of Kosciusko,

A petition from sundry citizens of Kosciusko county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Ferris,

A petition from sundry citizens of St. Joseph county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Ratliff,

A petition from sundry citizens of Grant county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Foulke,

A petition from sundry citizens of Wayne county, asking for a prohibitory liquor law.

Which was read and referred to the Committee on Temperance.

The Speaker laid before the House the following communication:

In accordance with a resolution adopted at a Good Templar's Convention, now in session in this city, the members of the Senate and House of Representatives are respectfully invited to attend a public meeting at Masonic Hall, this (Wednesday) evening.

L. G. DYNES,  
*Chairman of the Committee.*

By Mr. Newcomb,

A claim in favor of Daniel Keely for services as Drum Major, etc.

Which was referred to the Committee on Claims, without reading.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Newcomb, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 46—entitled “an act for the relief of Alfred Williams, Treasurer of Brown county, in the State of Indiana”—have had the same under consideration, and respectfully report to the House that they are satisfied that the amount of State revenue named in said bill, to-wit, \$1,279.81, collected by said Williams, on the tax duplicate of Brown county, was forcibly taken, by some unknown party or parties, on or about the night of January 11, 1864, from a safe in the office of said Treasurer, which had been provided by the County Commissioners; and that said Williams was not at fault therein, unless the leaving of the State revenue in said safe, unguarded in the night time, may be considered negligence on his part. It appears by a certified copy of the proceedings of the

County Commissioners, whereby they appropriated to said Williams a sufficient amount to make whole the loss to the county by said theft, that the Board had provided the safe which was broken open, and from which said funds were abstracted, and had required the Treasurer to keep the funds of the county therein; but said Commissioners had no authority to order the revenue of the State therein, nor have the committee been able to find any statute requiring the taxes, collected for the State, to be kept in such safe. The question, therefore, presented by this bill is, whether the State should release a County Treasurer from payment of its revenues, collected by him, in consequence of the same being stolen from the Treasurer's office by forcing an entrance into a safe in which the money had been placed, in the absence of any law authorizing or directing the placing of such moneys in unguarded safes. On this question the committee is divided in opinion, and instruct me to report the bill back to the House for its action, without any recommendation for or against its passage; and the Committee also submit, with the bill, a certified record of the Board of Commissioners of Brown county, in reference to the facts connected with this case and their action thereon.

Mr. McLean, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 153—entitled an act to repeal section fifteen of an act entitled “an act to create a State Normal School, and declaring an emergency,” approved December 20, 1865—have had the same under consideration, and have directed me to report the same back to the House, with the following amendment, and, when so amended, recommend its passage:

Strike out all after the enacting clause and insert the following:

That section fifteen of an act entitled “an act to create a State Normal School, and declaring an emergency,” approved December 20, 1865, which reads as follows, to-wit:

“Sec. 15. As soon as the Normal School is open to receive students, the Board of Trustees shall inform the Superintendent of

Public Instruction, whereupon, in his next apportionment of the school revenue of the State, he shall deduct \$5,000; and semi-annually thereafter he shall deduct the same amount, which shall be set apart and known as the Normal School Fund. This money shall be paid out only on the warrant of the Auditor, drawn on the order of the Board of Trustees," be and the same is hereby amended so as to read as follows, to-wit:

Sec. 15. As soon as the Normal School is open to receive students, the Board of Trustees shall inform the Superintendent of Public Instruction, whereupon the said Superintendent of Public Instruction shall notify the Auditor of State of that fact, who is hereby authorized to draw his warrant upon the Treasurer of State for \$5,000, to be paid semi-annually thereafter, until otherwise provided by law, from funds not otherwise appropriated, which said sum of \$5,000, drawn semi-annually, shall be known and held as the Normal School Fund, and shall be paid out only on the warrant of the Auditor, drawn on the order of the Board of Trustees of such State Normal School.

Which was laid on the table.

Mr. Smith, of Lagrange, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 297—a bill in relation to docket fees—have had the same under consideration, and a majority of said committee have directed me to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Litson, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, of the two Houses, to whom was referred the communication of the Adjutant General to the General Assembly, dated January 26, 1867, having carefully con-

sidered the suggestions and recommendations presented in said communication, and having made an examination of the Adjutant General's Office on the 21st inst., with a view of obtaining more full and complete information touching the matters referred to in the said communication, and the labor performed, and which the interest of the State and her people require should yet be performed in that branch of the Executive Department, beg leave to submit the following joint report:

#### ADJUTANT GENREAL'S PRINTED REPORT.

The report which the last General Assembly directed the Adjutant General to prepare and publish, has been very nearly completed, only one volume remaining yet to be issued. This report, showing the military record of each man sent by Indiana to crush the great rebellion, is one of the most valuable and interesting of all the publications ever undertaken by the State. It is not an ephemeral production, and it will increase in interest and value until long after all those of whose service it tells shall have passed away, and the thanks of this and the coming generations will always be due to the last General Assembly for having this great work completed before it had become too late.

The Adjutant General recommends the publication of a supplementary volume, to contain such additions and corrections as later information will enable him to make. From the incomplete condition of the records of the office, there are over 22,000 men unaccounted for. General Terrell is using vigorous exertions to have these deficiencies supplied, and it is believed that by making copies of the Indiana rolls and records of the War Department, and the continued use of means already employed, that the history of every Indiana soldier can be rendered full and complete.

The volume should also contain a register of all the men who lost their lives, during the conflict, with more extended histories of such men, giving the date, place and cause of death, and place of burial. A list of deserters and draft sneaks could also be inserted, and the record of all the cowards and recreants who disgraced the State be thus perpetuated. This recommendation strikes us very favorably, and we respectfully recommend that the contract with the State Printer be extended to embrace an additional volume, and the Adjutant General be directed to prepare it as sug-



gested in his communication. So great and valuable a work should be rendered as complete as possible.

The Adjutant General also suggests the publication of the rolls of the Indiana Legion. While his statement of the propriety of this publication is exceedingly forcible, we are not able to concur in the recommendation. Besides, the records of the Legion are complete, and the volume in question could be prepared at some future time when the necessary expenditures of the State Government are not so heavy. We are also compelled to report unfavorably upon the suggestions for publishing the first volume in the German language, and for a similar reason to that stated in the preceeding case.

We cannot leave this subject without mentioning the ability and industry with which this war record of Indiana has been prepared. Few men have any adequate conception of the labor involved in such a work. The thanks of the State are due General Terrell for the masterly manner in which the work has been issued. The State will always feel proud of this history, and her gratitude be ever due the legislature which ordered it, and the Adjutant General who prepared it.

#### BUSINESS OF THE ADJUTANT GENERAL'S OFFICE.

The business transacted through this office is varied and extensive. No other department of the State government has such a multiplicity of duties to perform, nor duties of greater value and importance to the people of the State. The value and extent of these duties has been so succinctly and compactly stated in the communication of the Adjutant General, that we deem it unnecessary to speak of them here, further than to refer to the communication—pages eight, nine, and ten—and endorse the correctness of the statements, and approve all the propositions there presented. We desire to state, however, our great satisfaction at the simplicity and neatness with which the valuable records of the office have been arranged. The rolls and records are so distributed that any document wanted for reference can be found in a moments time. The records are also well protected in stout boxes, so that they can suffer no damage, except by handling, when required for reference.



We desire, also, to recommend the clearness and completeness with which all the transactions of the office are recorded. The letter books, telegram books, registers of certificates, and transcripts, registers of commissions, daily journal of everything done in the office, and other books, are models of their kind, and being fully indexed, both by names and subjects, can be referred to with great facility.

A record of every transaction is kept, so that one need not be an expert in the affairs of the office to tell what has been done; and as nothing is trusted to memory, but made a matter of record, all the doings of this office can be referred to with certainty, at any time.

We desire, also, to express our appreciation and approbation of the efforts made by General Terrell towards obtaining missing rolls, and other data, in which the records of the office are deficient. His use of all means at his command appears to have been thorough and exhaustive, and he has been rewarded with considerable success. A very great deal of labor in the office, in the way of making up records, as well as in keeping up the current correspondence, issuing certificates, transcripts, and furnishing other information of importance to soldiers, and their representation, yet remains to be done, and with the extra duties relating to the adjustment of our war claims with the United States, (referred to hereafter,) will require that office to be kept open, with about the same force, as at present employed, for the next two years.

In leaving this branch of the subject, we have only to mention that the work required of the Adjutant General's office has been promptly, faithfully, and efficiently performed, and its affairs administered with economy, ability, and entire success.

#### INDIANA WAR CLAIMS.

In addition to his proper duties, the settlement of the claims of the State against the general government for expenses incurred on account of the war has also been entrusted to the Adjutant General.

In regard to the peculiar fitness of General Terrell to prosecute this important work, it is only necessary to say that he has been connected with the Executive department of the State from the beginning of the war, and has an intimate personal knowledge of

all its transactions and mode of doing business. He administered the finance department himself through nearly the entire period of its existence, and he has a knowledge concerning these claims possessed by no other man.

The importance of this business to the State is very little understood. The amount of the claims unadjusted is \$2,475,801.35; of these, however, accounts amounting to \$1,766,765.12 have been examined by the Treasury department, and suspensions made to the amount of \$1,381,269.44. These suspensions grow out of the informality or insufficiency of the vouchers, and it will at once be seen the importance to the State of having a man to supply the deficiencies of the vouchers and superintend the adjustment of the accounts, who is familiar with the business, and has complete and intimate knowledge of the whole subject.

General Terrell states that he will need two experienced clerks to complete this settlement, and it is probable that it will be necessary to incur considerable additional expense in procuring the evidence and signatures to complete the deficient vouchers. In our recommendation for appropriations for the Adjutant General's office this expense is included.

#### INDIANA LEGION ACCOUNT.

In addition to the claims above mentioned, there are others on account of the expenditures by the State in equipping and subsisting the Indiana Legion, amounting to over half a million of dollars, which, it is believed, the Government can be induced to pay. General Terrell proposes to take this matter in charge also, and we feel confident that it be vigorously and efficiently prosecuted.

#### ORDNANCE MATTERS.

By an act of the last General Assembly, the duties of the Ordnance department of the State were committed to the charge of the Adjutant General. How efficiently and skillfully those duties have been discharged his communication bears ample testimony.

A complete settlement has been effected with the General Government, by which the State has been released from all accountability on account of ordnance.

This settlement, made upon such favorable terms, was a saving to the State of \$93,263.35, which amount would otherwise have had to be assessed upon the counties in arrearages, some of them being deficient to the amount of ten or fifteen thousand dollars. In addition to this, a claim of the State amounting to \$23,916.68 for taking care of United States arms has been made up and filed with the proper department, and will, no doubt, be allowed without much delay.

The Adjutant General has also taken steps to procure from the government the quota of arms due the State for the past seven years, under the laws of 1808.

Throughout all this business, General Terrell has shown great foresight and wisdom, and we take pleasure in bearing this testimony to the value and importance of his labors.

#### EXPENSES AND APPROPRIATIONS.

The affairs of the Adjutant General's office have been economically administered, and the expenditures have been judicious and reasonable. For the proper prosecution of the work of the office proper, the settlement of claims already referred to, and the necessary expenditures for stationery and incidentals, we recommend an appropriation of \$5,000 for the year 1867, and the same amount for the year 1868.

Which, on motion, was referred to the Committee on Ways and Means.

Mr. Martin, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 194—a bill regulating the fees of County Surveyors, defining the duties of County Commissioners, and repealing all former laws in conflict therewith—have had the same under advisement, and direct me to make the following changes, and report the same back, and recommend its passage:

Sec. 1. In the twelfth line, strike out "\$2" and insert "\$1." In the sixteenth line, strike out "\$2" and insert "\$1." In the sev-

enteenth line, strike out "fifty cents" and insert "twenty-five cents." In the nineteenth line, strike out "\$2" and insert "\$1." In the twenty-fifth line, strike out "\$5" and insert "\$3." In the twenty-eight line, strike out "fifty cents" and insert "twenty-five cents." In the twenty-ninth line, strike out "\$2" and insert "\$1.50." In the thirty-first line, strike out "\$3.50" and insert "\$2.50." In the thirty-third line, strike out "fifty-cents" and insert "twenty-five cents."

Sec. 2. Strike out the words "to procure an instrument, with which angles may be taken independent of the magneetic needle," in the third, fourth and fifth lines of said section, No. 2; and strike "also to procure" out of the sixth line.

Which was laid on the table.

Mr. Scammahorn, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred Joint Resolution No. 44, have had the same under consideration, and beg leave to report the same back the House, and recommend its passage.

Which was laid on the table.

Mr. Chambers, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 239—"an act supplemental to an act relative to the taxation of lands in cities"—respectfully report that they have had the same under advisement, and herewith return said bill, recommending its passage, with the addition of the following section, to-wit:

Sec. 2. The provisions of this supplemental act shall not extend to any lands now included in the corporate limits of any city, but shall only apply to such territory as may hereafter be embraced within the corporate limits of any of the cities above referred to.

Which was laid on the table.

Mr. Chambers, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bill No. 236—a bill to amend the twenty-first section of an act entitled “an act to authorize a company to construct the Aurora and Loughrey Turnpikes,” approved February 15, 1848—have had the same under consideration, and direct me to report the same back to the House, and recommend its passed.

Which was laid on the table.

Mr. Chambers, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred Senate bill No. 131—a bill supplemental to an act entitled “an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical, and building purposes,” approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February, 1867—have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

Which was laid on the table.

Mr. Campbell moved to suspend the order of business to take up and read Senate bill No. 191.

Which was not agreed to.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills, to whom was referred House bills Nos. 41 and 201, have had the same under consideration, and have directed me to report the same correctly engrossed.

Mr. Peelle, from the Special Committee on Public Printing, made the following report:

MR. SPEAKER:

The special committee to whom was referred a resolution of inquiry, touching the public printer and printing, have had the same under consideration, and now most respectfully make the following report: Before proceeding further, we desire to state by way of apology, that our business in the House has precluded us from an examination in detail of the various branches of the subject included in said resolution, and hence we have contented ourselves as best we could, in most carefully investigating the suggestions of said resolutions which would best enable us to make patent the defection of our public printing system, to the end that we might in time present the same to the General Assembly, with at least a hope that a corrective, if not a complete remedy might be applied. To the accomplishment of this end, your committee at once set about dissecting what is usually called the "printing account;" that is, we obtained through the politeness of the Secretary and Auditor of State, the vouchers on file, in their respective offices, from the State Printer, and separated the printing accounts proper, from binding, paper and stationery accounts. The statements of the State Printer, filed in said offices, do not show in the aggregate the amount paid by the State for the printing, separate from the binding, nor the binding separate from the paper and other stationery, but it is so itemized in the statements thus made that by taking each statement, we have been able to show the cost to the State of the public printing proper, the binding proper and the paper and stationery proper, and we herewith submit to the consideration of this General Assembly a statement of facts, from which we must leave you to draw deductions.

The sums paid by the State to the State Printer from January 1, 1865 to January 1, 1866, and for what objects, are as follows:

For paper and other small accounts of stationery, \$18,665 95. For binding, \$7,078 50. For printing proper, \$11,693 34, making in the aggregate, the sum of \$37,437 79.

For the year 1866, from the 1st of January of that year, to the 1st of January, 1867, the State paid for paper and other small amounts of stationery, the sum of \$16,199 88. For binding, the



sum of \$6,805 36, making in the aggregate the sum of \$31,852 74. This is the amount on the general printing account.

The General Assembly in 1865, at its special session, authorized the Governor and Secretary of State to direct such printing as might be usual and necessary in the transaction of the public business. Under this act the State Printer, by the direction of the Governor and Secretary of State, did work in the year 1866 to the amount of \$13,093 72, and which should be added to the sum for printing proper for that year, thus swelling up the sum for printing proper to \$19,899 8, and making the total for printing, binding and paper for that year, the sum of \$44,946 46, exclusive of the sum paid by the State on special contract for the printing, binding and paper of the Adjutant General's Report, which for the six volumes already printed and bound, the State has paid \$51,300, and which being added to the \$44,946 46, make a grand total of \$96,246 46 paid by the State in the year 1866 for printing, binding and paper.

It will be seen from the foregoing statements that the items for paper and binding make no inconsiderable sum, enough at least, we think, to warrant and justify the General Assembly in providing by law some safeguards to future abuses. We have no law upon our statutes making it the duty of any one to purchase State paper. The third section of the act of 1859, 1 G. & H., 687, requires the State Printer to keep separate and apart from any other stationery, all stationery furnished him on account of the State, implying that some one is to furnish it, but no provision, it is believed, can be found, making it the duty of any officer to so furnish the State Printer.

We are not prepared to say that the State Printer, during either of the two years last past, has wronged the State by drawing from the treasury thereof pay for more paper than actually required in the discharge of his official duties; nor are we prepared to say that the amount for paper upon which the State work was done, was disproportionate to the amounts drawn by other State Printers who have furnished the State themselves, with paper; for, in truth, our examination leads us to believe that the cost to the State for paper will compare favorably with the two years immediately preceding the two years last past. But we do say that by a comparison of our State Printer's accounts with the accounts of other States, we are inclined to the opinion that we have been throwing away money by the thousands for State paper. As an illustration:

The printing, binding and paper for all the public printing for the State of Ohio, in the year 1866, was \$158,494. Of this sum, the paper (including all the other stationery,) cost the State but \$44,905 93, but a trifle more than one-fourth part of the entire sum paid for the printing, binding, and paper; while here, for the same year, as before shown, the printing, binding and paper, exclusive of the Adjutant General's Report, (which was published on contract,) cost the State \$44,946 46, and of this the State paid \$16,199 88 for paper, something more than one-third of the entire sum paid for printing binding and paper. Again, take the year 1865. The State paid for that year, its entire printing and binding, the sum of \$18,771 84, and for paper alone \$18,665 95, almost as much, as will be seen, as for the printing and binding together.

This may all have been right enough, but your committee is at a loss to account why it is, in Indiana, that the paper upon which the public printing is done, should cost us so much more than it does in Ohio in proportion to the amount of work done; and hence your committee are of the opinion that a provision ought to be engrafted in our statutes making it the duty of some other person or officer to purchase the paper and other stationery for the State, and that the State Printer should be required to keep a strict account of the particular use to which he has applied it.

Your committee are of the opinion that the Secretary of State should make all purchases of paper for the State printing, and that he should be required to do so by advertising for sealed proposals, and should make no purchases otherwise, and hence they herewith present an act to that end.

Your committee make no further suggestions, as they are informed that the Standing Committee on Public Printing will make an elaborate report. They therefore ask to be discharged.

Which was laid on the table.

Mr. Peelle, from the committee introduced

House bill No. 331. A bill requiring the Secretary of State to procure the paper and other stationery for the Public Printer, directing the manner of doing the same, and requiring the State Printer to account for all paper and stationery placed in his hands, directing suit upon paper contractors' bonds, and providing compensation to the Secretary of State for his services.

Which was read a first time, and passed to a second reading.



Mr. Wason introduced

House bill No. 332. A bill to amend the twenty-eighth section of an act entitled "an act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company," approved January 4, 1850.

Which was read a first time, and referred to the Committee on Corporations.

Mr. Stafford introduced

House bill No. 333. A bill to regulate the rate per mile to be charged by all Railroad Companies in the State of Indiana, for the transportation of passengers, and other matters properly connected therewith.

Which was read a first time.

Mr. Stafford moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a second time, to-day.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Belford, Bird, Black, Blanch, Bobo, Campbell, Chambers, Douglass, Dunn, Edmonson, Ervin, Ferris, Foulke, Greene, Hartman, Hamilton, Higgins, Honneus, Hostetter, Hughes, Hungate, Inman, Litson, Long of Jackson, Martin, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, O'Neil, Prather, Shields, Shook, Shoaff, Shuey, Smith of Wabash, Spencer, Stafford, Stewart, Thomas, Van Valkenburgh, Vawter, Wason, Williams, White, Wolfe, Woods, Wright, and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Bischof, Brucker, Corey, Crain Crowe, Daggy, Danaldson, Evans, Funk, Fuller, Geisendorff, Greer, Griggs, Hopkins, Hudson, Long of Kosciusko, Lopp, Matthis, McCarthy, McClasky, Miller, Newland, North, Peelle, Ratliff, Ross, Sabin, Scammahorn, Shull, Skidmore, Stackhouse, Tebbs, Thacher, Thrasher, Wilson, Wolfer, and Wolflin—37.

So it was not deemed expedient to suspend the constitutional rule.

Mr. Stafford moved to make said bill the special order for to morrow at 10 o'clock.

Mr. Bobo moved to refer the bill to the Committee on Corporations.

Which was not agreed to.

Mr. McFadin moved to refer said bill to the Committee on the Judiciary.

Which was agreed to.

Mr. Dunn, from the special committee, to whom was referred the investigation of charges of corruption against members this House, by consent made the following report:

MR. SPEAKER:

The committee, to whom was referred the investigation of certain reports on legislative corruption, would report that under the resolution, as amended, which requires the making of specific charges and the preference of the party accused before any evidence can be heard, they find it utterly impossible to proceed further unless more power shall be granted them.

Mr. Moore offered the following resolution:

WHEREAS, The committee appointed by this House to investigate certain matters of bribery and corruption, report that by the terms of said resolution, as amended, they find it impossible to proceed with the investigation; therefore

*Resolved*, That said committee shall have power to administer oaths, compel the attendance of, and examine witnesses as nearly in accordance with the rules governing our grand jury system as is practicable, and all other power necessary to the obtaining of testimony in relation to said matters, if any there be; and if the committee deem the evidence sufficiently strong, a specific charge shall be preferred against any and all parties implicated: *Provided*, that in all cases where such charge shall be made, the accused shall have notice and an opportunity of appearing before the committee at any time before the discharge of said committee, and having heard the testimony upon which said charge is based, shall have the right to

compel the attendance of, and examine witnesses in his own behalf, and to confront and cross-examine his accusers, and the committee shall report the result of their investigations.

Mr. McLean offered the following amendment:

Amend by inserting after the word "charge" "and that the same shall then be indorsed by the committee."

Mr. Woods moved to lay the amendment on the table.

Which was agreed to.

Mr. Hughes moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the adoption of the resolution offered by Mr. Moore.

Messrs. Vawter and Montgomery demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Greer, Greene, Hartman, Hamilton, Higgins, Honneus, Hostetter, Hudson, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McMurray, Moore, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thomas, Van Valkenburg, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods and Mr. Speaker—79.

H. J.—50.

Those who voted in the negative were,

Messrs. Belford, Chambers, Corey, Douglass, Foulke, Griggs, Hopkins, Hughes, McLean, Miller, Newland, Thrasher, Wolfliu and Wright—14.

So the resolution was agreed to.

#### SPECIAL ORDER OF THE DAY.

The hour having arrived for the consideration of House bill No. 316, the same was read a second time.

Mr. O'Neil moved to postpone the further consideration of said bill, and make it the special order for Friday morning next, at ten o'clock.

Mr. Newcomb moved to lay the motion to postpone on the table.

Messrs. Ross and Van Valkenburgh demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McMurray, Miller, Newcomb, North, Peelle, Prather, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfliu, Woods, Wright, and Mr. Speaker—58.

Those who voted in the negative were

Messrs. Barritt, Bird, Black, Bobo, Brucker, Corey, Crowe, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, Matthis, McFadin, McLean, Morrison, Montgomery, Newland, O'Neal, Ratliff, Ross, Shanks, Shields, Shoaff, Shull, Stack-

house, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—38.

So the motion to lay on the table prevailed.

Mr. Newcomb offered the following amendment :

Amend section eight by inserting, after the word "act," in the first line, the following words : "Except in actions for libel and slander."

Which was agreed to.

Mr. Ross offered the following amendment :

Amend by striking out section two.

Mr. Newcomb moved to lay the amendment by Mr. Ross on the table.

Messrs. Ross and Hungate demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Corey, Crowe, Edmonson, Greene, Honneus, Hungate, Inman, Long of Jackson, Lopp, Matthis, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—35.

So the motion to lay on the table prevailed.

Mr. Newcomb offered the following amendment:

Amend by striking out the sixth section and inserting the following in lieu thereof:

The provisions of this act, except the first section thereof, shall not apply in any case when it is shown by the evidence, and shall be so specifically found by the court or jury trying the case, that the orders of the military superior, under whom the defendant or defendants claim to have acted, were clearly exceeded.

Mr. Crain moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on adopting the amemenment offered by Mr. Newcomb,

Messrs. Green and Tebbs demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfiin, Woods, Wright, and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Corey, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson,

Lopp, Matthis, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—34.

So the amendment was agreed to.

Mr. Montgomery offered the following amendment :

Amend by striking out section three.

Which was not agreed to.

Mr. O'Neil moved to amend, as follows :

Strike out all the first section, after the enacting clause.

Mr. Miller moved to lay the amendment on the table.

Messrs. O. Neil and Tebbs demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hopkins, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shucy, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Crowe, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, Matthis, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—33.

So the amendment was laid on the table.



Mr. Gordon offered the following amendment :

Amend section eight by striking out these words from lines one and two, "and shall be the duty of," and insert after the word Governor, in the second line, the following words, to-wit: "May in his discretion."

Which was agreed to.

Mr. Vawter moved that the House do now adjourn.

Which was not agreed to.

Mr. Woods moved to amend by inserting in the first line of the second section, after the word "actions," the words "civil or criminal."

Which was agreed to.

Mr. Newcomb moved to fill the blank with "three thousand dollars."

Mr. Ross moved to amend by inserting "two thousand dollars" instead of "three thousand dollars."

The question being on the motion by Mr. Newcomb to insert "three thousand dollars."

Messrs. Montgomery and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, and Woods—54.



Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Corey, Crowe, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, Matthis, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—34.

So the motion to amend prevailed.

Mr. Newcomb moved that said bill (House bill No. 316) be ordered to be engrossed, and made the special order for to-morrow at 3½ o'clock, P. M.

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

So House bill No. 316 was ordered to be engrossed.

On motion, the House adjoured.

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TWO O'CLOCK, P. M.

The House met.

The special committee on Mr. Dunn's resolution obtained leave of absence this afternoon.

## HOUSE BILLS ON THIRD READING.

House bill No. 51. A bill defining what counties shall constitute the Seventh Judicial District, and fixing the times of holding courts therein.

Was read a third time, and, on motion, was laid on the table.

House bill No. 191. A bill to amend section 650 of article 36 of an act to revise, simplify and abridge the rules, pleadings, practice and forms in civil cases, etc.

Was read a third time.

Mr. Crain, by unanimous consent, moved to strike out "ninety days," and insert "sixty days."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Brucker, Crain, Crowe, Daggy, Douglass, Edmonson, Ervin, Evans, Ferris, Foulke, Fuller, Gordon, Greene, Griggs, Hartman, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hungate, Inman, Litson, Martin, Mason, McCarthy, McClasky, McLean, Miller, Moore, Morrison, O'Neil, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolfn, Woods, Wright, and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Long of Jackson, Lopp, Ross, Shields, Shull, Vawter, and Wolfe—7.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 219. A bill authorizing the Board of County Commissioners, in their several counties, to require the Clerk of the Circuit Court to index certain books and dockets, and to provide compensation therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Brucker, Campbell, Crowe, Daggy, Douglass, Edmonson, Ervin, Evans, Ferris, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hudson, Hughes, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, O'Neil, North, Peelle, Prather, Rosser, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Tebbs, Thrasher, Thomas, Wason, Watson, Wolfer, Woolfin, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Crain, Honneus, Matthis, McFadin, McLean, Morrison, Montgomery, Newland, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shields, Shook, Shull, Shuey, Stewart, Van Valkenburgh, Wilson, White and Wolfe—23.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Fuller moved to suspend the order of business and take up House bills Nos. 275, 276 and 278.

Which was agreed to.

House bill No. 275. A bill to amend section three of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act entitled an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, Appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State," approved June 21, 1852, and to repeal an act entitled "an act to amend the one hundred and forty-third section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessor, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852, approved March 4, 1859, approved May 31, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Foulke, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins Honneus, Hostetter, Hudson, Hungate, Inman, Litson, Long of Jackson, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Wright and Mr. Speaker—77.

Those who voted in the negative were,

Messrs. Crain, Funk, Hughes, Long of Kosciusko, Newland, and Shields—7.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 276. A bill to amend an act to amend section one hundred and twenty-four of an act entitled "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852, which first above mentioned act was approved March 11, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hungate, Inman, Litson, Long of Jackson, Lopp, Martin, Mason, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, Newland, O'Neil, North, Peelle, Prather, Ratliff, Ross, Seammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Dunn, Foulke, Funk, Hartman, Hughes, Long of Kosciusko, McCarthy, and Shields—8.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Hughes moved that the House resolve itself into a Committee of the Whole.

Which was not agreed to.

Mr. Montgomery moved to take up House bill No. 278.

Which was not agreed to.

House bill No. 225. A bill to amend section four of an act containing several provisions regarding landlords, tenants, lessors and lessees, approved May 20, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Crain, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hudson, Hughes, Inman, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, Newland, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Wolflin, Wright, and Mr. Speaker.—81.

Those who voted in the negative were,

Messrs. Ferris, Hostetter, Hungate, Litson, and White—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 80. A bill to repeal an act, approved March 6, 1865, entitled "an act authorizing Supervisors of roads to remove fences standing near public highways, on streams and water courses, and to turn public roads and highways on water courses to the rear of buildings, where such buildings stand too near the stream to give room for said roads or highways, and assess damages for losses occasioned thereby.

Was read a third time. The amendments heretofore reported were read.

Mr. Bischof moved to lay the bill on the table.

Which was agreed to.

House bill No. 208. A bill to protect young pigs from foxes and wild cats.

Was read a third time. The amendments heretofore reported were read.

Mr. Hartman moved to lay the bill and amendments on the table.

Which was agreed to.

House bill No. 193. A bill amending section five of "an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalaties," approved March 5, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Campbell, Crain, Crowe, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Foulke,

Fuller, Geisendorff, Gordon, Griggs, Hamilton, Hays, Hopkins, Hudson, Hughes, Hungate, Long of Jackson, Martin, Mason, McCarthy, McClasky, McFadin, McLean, Moore, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Skidmore, Smith of Wabash, Stafford, Stewart, Tebbs, Thacher, Wason, Wilson, Wolflin, Woods, and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Daggy, Funk, Greer, Hartman, Hostetter, Inman, Litson, Long of Kosciusko, Lopp, Matthis, McMurray, Miller, Montgomery, Newland, Shanks, Shull, Shuey, Spencer, Thrasher, Thomas, Watson, White, Wolfe, and Wolfer—27.

So the bill passed.

The question being, shall the tille, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills, to whom was referred House bill No. 277, have had the same under consideration, and direct me to report the same correctly engrossed.

House bill No. 277 was read a third time, and passed over informally.

House bill No. 141. A bill regulating interest, and repealing all laws conflicting therewith.

Was read a third time.



The question being, shall the bill pass ?

Those who voted in the affirmative were

Messrs. Belford, Black, Brucker, Campbell, Crowe, Daggy, Ervin, Evans, Ferris, Funk, Fuller, Geisendorff, Gordon, Hamilton, Hopkins, Hudson, Litson, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Montgomery, O'Neil, North, Peelle, Ratliff, Rosser, Sabin, Shuey, Smith of Wabash, Spencer, Stewart, Tebbs, Thacher, Thrasher, Thomas, Watson, Wilson, White, Wolfer, Wolfen, and Woods—44.

Those who voted in the negative were,

Messrs. Barritt, Bird, Blanch, Bobo, Crain, Danaldson, Douglass, Edmonson, Foulke, Greer, Hartman, Hays, Hostetter, Hughes, Hungate, Inman, Long of Jackson, Long of Kosciusko, Lopp, Martin, McFadin, Newcomb, Newland, Prather, Shanks, Shields, Shook, Shull, Skidmore, Stafford, Wason, Williams, Wolfe, and Mr. Speaker—34.

So the bill failed to pass for want of a constitutional majority.

House bill No. 212. A bill to repeal a portion of the forty-first section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their rights, powers and duties, and the manner in which they shall exercise the same and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December 20, 1865.

Mr. Montgomery moved to lay the bill on the table.

Which was agreed to.

House bill No. 81. A bill regulating the employment of persons under sixteen years of age in cotton and woolen factories of this State.

Was read a third time.

Mr. Wilson offered the following: I move to recommit the bill, with instructions to amend by saying, "without the consent of such hands."

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. PRESIDENT :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed Bill thereof, to-wit :

Senate bill No. 47, entitled "a bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops,"

In which the concurrence of the House is respectfully requested.

House bill No. 15. A bill to carry out the provisions of an act entitled "an act to create a State Normal School, and declaring an emergency," approved December 20, 1865, and to appropriate the funds necessary for the erection and furnishing of the State Normal School, and providing from what funds the same shall be taken and appropriated.

Was taken up.

The amendments heretofore reported were read.

Mr. Wolfe moved to recommit said bill, with instructions.

Which was agreed to.

House bill No. 211. A bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.

Was read a third time.

The question being, shall the bill pass?

Mr. Hughes moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Campbell, Daggy, Danaldson, Douglass, Ervin, Ferris, Foulke, Fuller, Geisendorff, Greer, Griggs, Hartman, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hudson, Hughes, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thomas, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Bird, Bobo, Crowe, Edmonson, Greene, Hungate, Inman, Long of Jackson, Matthis, Shields, Shull, and Williams—12.

So the bill passed.

Mr. Montgomery moved to reconsider the vote just taken.

Which was agreed to.

House bill No 211 was again taken up.

Mr. Montgomery, by unanimous consent, offered the following amendment:

Amend section one, line six, by striking out "one hundred feet" and inserting "sixty-four feet," wherever the same may occur in the bill.

Which was agreed to.

The question being, shall the bill, as amended, pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Blanch, Brucker, Campbell, Crain, Crowe, Daggy, Danaldson, Douglass, Edmondson, Ervin, Ferris, Foulke, Geisendorff, Gordon, Greene, Greer, Griggs, Hart-  
H. J.—51.

man, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thrasher Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright and Mr. Speaker.—73.

Those who voted in the negative were,

Messrs. Bird, Black, Bobo, Inman, Matthis, Shields and Shull  
—7.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Crain moved to reconsider the vote whereby House bill No. 81 was recommitted.

Which was agreed to.

House bill No. 81. A bill regulating the employment of persons under sixteen years of age, in cotton and woolen factories of this State.

Was again taken up, the same having been previously read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Crain, Crowe, Danaldson, Douglass, Edmonson, Ervin, Ferris, Foulke, Funk, Gordon, Greer, Hartman, Honneus, Hudson, Hughes, Hungate, Inman, Long of Jackson, Martin, McCarthy, McClasky, McFadin, Moore, Morrison, Montgomery, Newcomb, North, O'Neil,

Peelle, Prather, Ratliff, Sabin, Scammahorn, Shields, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Tebbs, Thacher, Thomás, Van Valkenburgh, Vawter, Wason, Wilson, Wolfe, Wolfli, Woods and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Barritt, Bird, Black, Bobo, Daggy, Geisendorff, Griggs, Hays, Hostetter, Long of Kosciusko, Matthis, McMurray, Newland, Ross, Rosser, Shanks, Shull, Thrasher, Watson, Williams, White and Wolfer—21.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 21. A bill to amend the sixteenth section of an act regulating the fees of officers and repealing former acts in relation thereto.

Was read a third time.

The question being, shall the bill pass?

Mr. Belford moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hudson, Hughes, Hungate, Inman, Litson, Long of Jackson,

Long of Kosciusko, Lopp, Martin, Matthis, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, North, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scamahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Staekhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—81.

Those who voted in the negative were,

Messrs. Crowe, Hostetter, Mason, Newcomb and Newland—5

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 207. A bill to amend sections four hundred and five and four hundred and six of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1252.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Brueker, Campbell, Crain, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greene, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, Newland, North, O'Neil, Peelle, Prather, Rat-

liff, Ross, Rosser, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—85.

Those who voted in the negative were,

Messrs. Hungate, Morrison, Scammahorn, Wilson, and White—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 229. A bill granting the Trustees of the several townships of this State the power to levy and collect moneys, to be known as a bridge fund, in the way and manner that other taxes are levied and collected.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Blanch, Brucker, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Hartman, Hamilton, Hopkins, Hungate, Litson, Long of Jackson, Martin, Miller, Moore, Morrison, Newcomb, North, Prather, Rosser, Shuey, Skidmore, Smith of Lagrange, Spencer, Stafford, Stewart, Thrasher, Wason, Wilson, Wolfer, Wolflin, Woods, and Wright—42.

Those who voted in the negative were,

Messrs. Bird, Bobo, Edmondson, Funk, Greer, Hays, Honneus, Hostetter, Hudson, Inman, Long of Kosciusko, Lopp, Mason, Mat-



this, McClasky, McMurray, Montgomery, Newland, O'Neil, Peelle, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Smith of Wabash, Stackhouse, Tebbs, Thacher, Thomas, Van Valkenburgh, Vawter, Watson, White, Wolfe, and Mr. Speaker—38.

So the bill failed to pass for want of a constitutional majority.

House bill No. 262. A bill to amend sections two and six of an act entitled "an act to incorporate the Widows' and Orphans' Asylum of Indianapolis."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bird, Bischof, Black, Blanch, Brucker, Campbell, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Matthis, McCarthy, McClasky, McFadin, Miller, Moore, Morrison, Montgomery, Newcomb, Newland, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolfli, Woods, Wright, and Mr. Speaker—85.

Mr. McMurray voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Edmonson, the House adjourned.



THURSDAY MORNING, 9 O'CLOCK, }  
February 28, 1867. }

The House met.

On motion by Mr. Ratliff, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, CLAIMS, ETC.

The Speaker laid before the House the memorial of B. T. Grepy, in relation to changing the boundary between the counties of Fountain and Wayne.

Which was referred to the Committee on County and Township Business, without reading.

By Mr. Baker,

A petition from sundry citizens of Knox county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Van Valkenburgh,

A petition from sundry citizens of Starke county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Honneus,

A petition from sundry citizens of Clarke county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Smith, of Lagrange,

A petition from sundry citizens of Lagrange county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Geisendorff,

A petition from sundry citizens of Noble county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading

By Mr. Evans,

A memorial from a committee, from Post No. 1, of Carroll county, in relation to a Soldiers' Home, etc.

Which was read and referred to the Committee on Military Affairs.

By Mr. Sabin,

A petition from sundry citizens of Steuben county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Greer,

A petition from sundry citizens of Morgan county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hungate,

A petition from sundry citizens of Clay county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hamilton,

A petition from sundry citizens of Marion county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Foulke,

A petition from sundry citizens of Wayne county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Vawter,

A petition from sundry citizens of Johnson county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Wolfe,

A petition from sundry citizens of Sullivan County, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Watson,

A petition from sundry citizens of Randolph county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Chambers,

A petition from sundry citizens of Henry county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Williams,

A petition from sundry citizens of Brown county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.

By Mr. Shuey,

A petition from sundry citizens of Lagrange county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Stewart,

A petition from sundry citizens of Rush county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Newcomb,

A claim from Patrick Brennan, asking that he be paid \$36 for work done under Mr. Browne, State Librarian.

Which was referred to the Committee on Claims, without reading.

By Mr. Shields, a petition from sundry citizens of Fulton county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Foulke,

A memorial from John B. Lamb, in relation to fences.

Which was referred to the Committee on County and Township Business, without reading.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Newcomb, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred so much of the Governor's message as relates to the revenue and finances of the State, have instructed me to report the accompanying bill, legalizing the action of the State Board of Equalization of 1864, and recommend the passage thereof. Owing to the failure of the Auditors of several counties to increase the assessments of such counties, as directed by said Board, a large amount of property, estimated at \$6,000,000, has escaped taxation, and to that extent the burden of supporting the State government has fallen unequally upon those counties whose Auditors respected the decision of said State Board of Equalization.

Mr. Newcomb introduced

House bill No. 334. A bill to legalize the action of the State Board of Equalization, at its sessions in 1864, and declaring the duty of the Auditor of State in relation thereto.

Was read a first time, and passed to a second reading.

Mr. Newcomb, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred so much of the Governor's message as relates to the revenue and finance of the State, have instructed me to report the accompanying bill :

An act to amend section two of an act entitled an act to provide a treasury system for the State of Indiana ; for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of public moneys, and to recommend the passage thereof.

Mr. Newcomb introduced

House bill No. 334. A bill to amend section two of an act entitled "an act to provide a treasury system for the State of Indiana ; for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of public moneys," which act took effect August 6, 1859.

Was read a first time, and passed to a second reading.

Mr. Bischoff, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was recommitted House bill No. 15, introduced by Mr. McLean, of Vigo county, being an act entitled "an act to create a State Normal School, and declaring an emergency" approved December 20, 1865.—have had the same under consideration, and have directed me to report the same back to the House, with the following amendment, and when so amended respectfully recommend its passage :

Strike out "common school fund for the year 1867," where the same occurs in said amended bill, and insert the following :

"Any funds in the treasury not otherwise appropriated."

Mr. McLean moved that the report be concurred in.

Mr. Chambers moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

Mr. McLean moved that the bill be engrossed, and made the special order for to-morrow, at three o'clock, P. M.

Which was agreed to.

Mr. Daggy, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 299—a bill to amend section seventy-seven of an act entitled “an act to revise, simplify, and abridge the rules, practice, and proceedings, in criminal actions, in the courts of this State,” approved December 20, 1865—have had the same under consideration, and direct to report the same back to the House and recommend that it be indefinitely postponed.

The report was concurred in, and the bill indefinitely postponed.

Mr. Hughes, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred Senate bill No. 86—a bill supplemental to an act entitled “an act for the incorporation of High Schools, Academies, Universities, Theological Institutions, and Missionary Boards,” approved February 28, 1855—have considered the same, and directed me to report the same back, without amendment, and recommend its passage.

Which was laid on the table.

Mr. Ross, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 54—entitled an act authorizing the assessment of all the lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized, or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled etc.—have had the same under consideration, and the majority of said Committee direct me to report the same back to the House, with the recommendation that it do pass.

Which was laid on the table.

Mr. Smith, of Lagrange, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 307—allowing parties to suits, in all cases, to be witnesses, when such parties are only securities—have had the same under consideration, and directed me to return the same to the House with a motion for its indefinite postponement.

Which was concurred in, and the bill indefinitely postponed.

Mr. Smith, of Lagrange, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 301—a bill donating certain real estate in the village of Rome City, in the county of Noble, and State of Indiana, to said village, for educational purposes—have had the same under consideration, and directed me to report said bill back, without amendment, and recommend its passage.

Which was laid on the table.

Mr. McFadin, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 308—a bill reaffirming the common law rule as to animals running at large, and giving a right of action for injuries, etc.—have considered the same, and a majority of said committee have directed me to report said bill back, without amendment, and recommend its passage.

Which was laid on the table.

Mr. Griggs, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 268—a bill supplemental to an act regulating elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852—have had the same under consideration, and a majority of said committee have directed me to report the same back, with one amendment, and when so amended, recommend its passage.

Which was laid on the table.

Mr. Daggy, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 111—a bill limiting the liability of inn keepers—have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

Which was laid on the table.

Mr. Hughes, from the Committee on the Judiciary, made the following majority report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred Senate



bill No. 152—a bill to legalize and make valid certain bonds, and to provide for the payment of the same—have considered the same, and a majority of the committee have directed me to report said bill back to the House, without amendment, and recommend its passage.

Which was laid on the table.

Mr. Daggy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 238—amending the sixth section of the city charter of the city of Evansville—have had the same under consideration, and have directed me to return the same, with the recommendation that it do pass.

Which was laid on the table.

Mr. Daggy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 306—a bill to authorize the reference of trials to Master Commissioners, and defining their duties relating thereto—have considered said bill, and have directed me to report the same back, with one amendment, and when so amended, recommend its passage.

Amend as follows: In line fourteen of section one, strike out the words “three dollars,” and add to the end of said section “such sum as the court shall deem just and allow.”

Which was laid on the table.

Mr. Miller, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 292—entitled “an act in relation to the practice in trial of

causes in the Circuit and Common Pleas Court—have had the same under consideration, and have directed me to report the same back, and recommend that it be indefinitely postponed.

Which was concurred in, and the bill was indefinitely postponed.

Mr. Wason, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred Senate bill No. 111, have had the same under consideration, and I am directed to report the same back and recommend its immediate passage.

Which was laid on the table.

Mr. Litson, from the Committee on Military Affairs, made the following report:

MR. SPEAKER:

The Committee on Military Affairs, to whom was referred House bill No. 291, have instructed me to report the same back, and ask that the committee be relieved from the further consideration of said bill, and the same lay upon the table.

Which was concurred in, and the bill laid on the table.

Mr. Wright, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claims of sundry citizens of Sullivan county, asking for an appropriation to aid certain parties in defending suits instituted against them by Andrew Humphreys and others, on a charge of trespass and false imprisonment, return the same to the House and recommend their reference to the Committee on Ways and Means, where they properly belong.

Which was concurred in, and said claims were so referred.

Mr. Long, of Jackson, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of E. B. Chinn, for funeral and other expenses incurred in the sickness and decease of the Hon. N. G. Shaffer, member of this House from Fulton county, in 1865, amounting to \$136.40, have had the same under consideration, and would recommend that the same be referred to the Committee on Ways and Means, and placed in the specific appropriation bill for payment.

Which, on motion, was referred to the Committee on Ways and Means.

Mr. Martin, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 314, have had the same under consideration, and direct me to report the same back and recommend its passage.

Which was laid on the table.

Mr. Scammahorn, from the Committee on Rights and Privileges of the Inhabitants of the State, made the following report :

MR. SPEAKER :

The committee to whom was referred House bill No 298—a bill making it a misdemeanor to allow hogs to run at large in certain cases—have had the same under consideration, and direct me to report the same back to the House and recommend that it be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

Mr. Scammahorn, from the Committee on Rights and Privileges, made the following report :

MR. SPEAKER :

The Committee on Rights and Privileges, to whom was referred  
H. J.—52.

House bill No. 325—an act concerning divorces, and repealing all laws inconsistent therewith—have had the same under consideration, and a majority of said committee direct me to report the same back to the House with a recommendation that it do pass.

Which was laid on the table.

Mr. Bird, from the Committee on Rights and Privileges, made the following report:

MR. SPEAKER:

Your Committee, to whom was referred House bill No. 132, having had the same under consideration, direct me to report the same back to the house with the recommendation that it lie on the table.

Which was concurred in, and the bill laid on the table.

Mr. Crain, from the Committee on Railroads, made the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 146—a bill to provide by law for the construction of stopping points or stations, and the construction of side-tracks on railroads and prescribing penalties on railroad companies for the violation thereof—have considered the same, and direct me to report said bill back to the House and recommend that it be referred to the Committee on the Judiciary, with instructions to inquire into and report on the constitutionality of its provisions.

Which was concurred in, and, on motion, the report and bill were referred to the Committee on the Judiciary.

Mr. Hartman, from the Committee on Mileage and Accounts, made the following report:

MR. SPEAKER:

The Committee on Mileage and Accounts, to whom was referred House resolution No. 48, in reference to sheriffs' mileage, would respectfully report that a Special Committee of one from each Cou-

gressional District having been appointed by the House to consider the subject embraced in said resolution, and said Special Committee having reported a bill regulating sheriffs' mileage, your committee would recommend that said resolution lie on the table, and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Brucker, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 89—entitled an act providing for the incorporation of steam packet companies—have had the same under consideration and recommend its passage, with the following amendments, to-wit:

Amend section one, by adding "and other navigable waters in and out of this State."

Amend section three, line five, by adding after the words "steam boat," the words "and other boats."

Which was laid on the table.

Mr. Foulke, from the Committee on Federal Relations, made the following report:

MR. SPEAKER:

The Committee on Federal Relations, to whom was referred Joint Resolution No. 13, have had the same under consideration, and unanimously agree to report the same back to the House, and recommend its passage.

The report was laid on the table.

Mr. Evans, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred House bills Nos. 19, 235, 243 and 259, have had the same under examination, and have ordered me to report the same correctly engrossed.

Mr. Stewart, from the Special Joint Committee, made the following report :

MR. SPEAKER :

The committee, to whom was referred the memorial of the "National Lincoln Monument Association," asking to erect a monument to the memory of "Abraham Lincoln, such as will be worthy of his fame and public service, as shall truly represent the love and reverence of the American people for the immortal principles of liberty and justice, which ever found in him so able and fearless an advocate, and for his fidelity to which he lost his life." Your committee, while appreciating the worthiness of the object of the association, and would commend the same to the favorable consideration of those who have been blessed with means, as a noble object for private contribution, we are not in the present condition of the finances of the State prepared to recommend any appropriation from the treasury, and ask to be discharged.

Mr. Hughes moved to recommit the subject, with instructions to report in favor of an appropriation of \$10,000, to be included in the specific appropriation bill.

Mr. Long, of Jackson, moved to amend as follows :

Also, \$10,000 to the Washington National Monument.

Mr. Thacher offered the following amendment :

Amend by appropriating \$6,000 for a monument to the memory of Anthony Wayne, at Fort Wayne, in Allen county.

The amendments offered by Messrs. Long, of Jackson, and Thacher were ruled out of order by the Speaker.

Mr. Chambers offered the following amendment :

Amend by inserting \$500,000, to build a monument to every soldier who did his duty, and forfeited his life in defence of his country, in the late war.

Which was also, by the Speaker, ruled to be out of order.

Mr. Campbell moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the motion by Mr. Hughes to recommit  
with instructions.

Messrs. Hughes and Griggs demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Crain,  
Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Geisendorff, Gor-  
don, Greer, Griggs, Hartman, Hamilton, Hopkins, Hughes, Litson,  
Long of Kosciusko, Martin, McCarthy, McLean, McMurray, Mil-  
ler, Moore, Newcomb, North, Peelle, Prather, Scammahorn, Shook,  
Shuey Skidmore, Smith of Lagrange, Spencer, Stafford, Stewart,  
Thrasher, Thomas, Watson, Wilson, Wolfer, Woods, Wright, and  
Mr. Speaker—48.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Black, Bobo, Chambers, Corey,  
Crowe, Douglass, Edmonson, Foulke, Fuller, Greene, Higgins,  
Honneus, Hostetter, Hudson, Hungate, Inman, Long of Jackson,  
Lopp, Mason, Matthis, McClasky, McFadin, Morrison, Montgom-  
ery, Newland, O'Neil, Ratliff, Ross, Sabin, Shanks, Shields, Shoaff,  
Shull, Smith of Wabash, Stackhouse, Tebbs, Thacher, Van Val-  
kenburgh, Wason, Williams, White, and Wolfe—44.

So the motion to recommit prevailed.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Represen-  
tatives, that the Senate has passed the following Engrossed House  
bill, to-wit:

House bill No. 142, entitled "a bill authorizing the Board of



Directors of street railway companies to raise funds to discharge the indebtedness of such companies by making a *pro rata* assessment against stockholders, to make needful rules in relation thereto, to issue preferred stock in certain cases, and in relation to the individual liabilities of stockholders.”.

Also, that the Senate has passed the following engrossed bills thereof, to-wit :

Senate bill No. 201, entitled “an act authorizing the sale of a tract of land in the City of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchasers thereof.”

Engrossed Senate bill No. 165, entitled “an act to provide for the appraisement of real estate and prescribing the duties of officers in relation thereto,” approved December 21, 1858.”

In which the concurrence of the House is respectfully requested.

Mr. Moore moved to suspend the order of business to allow him to introduce a bill.

Which was agreed to.

Mr. Moore introduced,

House bill No. 336. A bill to amend the sixteenth and seventy-second sections of an act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the Ohio and Wabash rivers.

Which was read a first time, and, on motion by Mr. Moore, referred to a special committee of five.

The Speaker announced the following as a Special Committee on House bill No. 335.

Messrs. Moore, Thacher, Stewart, Barritt and Shook.

Mr. Van Valkenburgh, by consent, offered the following resolution :

*Resolved*, That the Judiciary Committee be, and are hereby instructed, to report House bill No. 223 to the House for its action at once.

Which was agreed to.



Mr. Ferris, by consent, introduced the following joint resolution :

A joint resolution in relation to the improvement of the navigation of the St. Joseph River.

WHEREAS, The navigation of the St. Joseph River would be greatly beneficial to all interest in the north-eastern portion of this State.

AND WHEREAS, The Legislature of Michigan has memorialized Congress to make an appropriation for the improvements of the navigation of said river; therefore be it

*Resolved by the General Assembly of the State of Indiana, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence to get such an appropriation made by Congress.*

2d. That the Governor transmit a copy of this resolution to said Senators and Representatives.

Which was read a first time and referred to the Committee on Federal Relations.

Mr. Long, of Jackson, offered the following resolution :

*Resolved, That the Committee on Railroads be directed to inquire whether or not the Ohio and Mississippi and T. H. and R. Railroad Companies have complied with the terms of its Charter in paying into the State Treasury, for the benefit of Common Schools, the per centage on its income as mentioned in said Charter, and whether it has not forfeited its Charter by non-compliance with the conditions of the same, and what, if any, legislation, is necessary.*

Mr. Montgomery moved to include Terre Haute.

Which was accepted by Mr. Long.

The resolution was then agreed to.

Mr. McLean, from the Committee on Education, by consent, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred Senate bill

No. 214, "an act to authorize cities to prepare, execute, negotiate and sell bonds] to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax] to provide means for the payment of the interest and principal of such bond, and declaring an emergency, have had the same under consideration and direct me to report the same back to the House and recommend its passage.

Which was concurred in.

Mr. Peelle moved to take up House bill No. 331.

Which was agreed to.

House bill No. 331 was then read a second time.

Mr. Montgomery offered the following amendment:

Amend so as to include the stationery for the use of the General Assembly.

Mr. Newcomb moved to lay the amendment on the table.

Which was agreed to.

Mr. Hostetter offered the following amendment to House bill No. 331.

Add to section nine, "The State Printer shall also file with the State Librarian one copy, at least, of each and every job of work done by him for the State.

Which was agreed to.

House bill No. 331 was then ordered to be engrossed.

Mr. Long, of Jackson, by consent, presented a petition from sundry citizens of Jackson county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

Mr. Newcomb obtained leave and presented the claim of W. R. Holloway, State Printer, for \$1,083 53.

Which was referred to the Committee on claims, without reading.

Mr. Shoaff, by consent, presented a petition from sundry citizens of Allen county, in relation to the subject of a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of the special order for the day.

House bill No. 214. A bill creating, establishing and providing for the management and maintenance of four colleges of agriculture and the mechanic arts, to be located at Indianapolis, Crawfordsville, Greencastle and Bloomington, with amendments heretofore offered, and all bills before the House, on the same subject.

Were taken up.

Mr. Baker moved to indefinitely postpone the whole subject.

Mr. Campbell moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion, by Mr. Baker, to indefinitely postpone the whole subject.

Messrs. Baker and Van Valkenburgh demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bird Bischof, Bobo, Brucker, Campbell, Chambers, Crowe, Daggy, Danaldson, Douglass, Edmonson, Foulke, Fuller, Greer, Hartman, Hopkins, Honneus, Hostetter, Hudson, Inman, Long of Kosciusko, Lopp, McCarthy McClasky, McFadin, McMurray Newland, North, Ross, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Smith of Lagrange, Stackhouse, Stewart, Thrasher, Van Valkenburgh, Vawter, Wason, Williams, Wilson, Wolfe, Wolflin, Wright and Mr. Speaker—51

Those who voted in the negative were,

Messrs. Belford, Black, Blanch, Crain, Dunn, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Greer, Griggs, Hamilton, Hughes, Litson, Long of Jackson, Martin, Mason, Matthis, McLean, Miller, Moore, Morrison Montgomery, Prather, Ratliff, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Thacher, Thomas, Watson, White, Wolfer and Woods—38.

So the motion to postpone indefinitely, prevailed.

Mr. Montgomery moved to reconsider the vote just taken.

Mr. Campbell moved to lay the motion to reconsider on the table.

Which was agreed to.

On motion, by Mr. McFadin the House adjourned.

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2 O'CLOCK, P. M

The House met.

Mr. Lopp introduced,

House Joint Resolution No. 23. A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law authorizing the State of Indiana to turn over the Agricultural College endowment fund to the credit of the common school fund of said State.

Which was read a first time, and passed to second reading.

The Investigating Committee, on Mr. Dunn's resolution, obtained leave of absence for this afternoon.

Mr. Bird introduced House Joint Resolution No. 24.

WHEREAS, In the opinion of this General Assembly, the prosperity of the United States, and the happiness of the people, both black and white, demand that they should live in separate communities; therefore be it

*Resolved by the General Assembly of the State of Indiana,* That our Senators be instructed, if consistent with the general interest of the country, and our Representatives in Congress be requested to inquire into the expediency of setting apart a certain portion of the territory of the United States to be occupied exclusively by the African race, and that all the colored population of the United States be colonized in said territory.

Which was read a first time, and passed to a second reading.

Mr. Belford, from the Committee on the Judiciary, by consent, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 223—a bill regulating changes for transportation of freight by the various railroad corporations, doing business in the State of Indiana—have had the same under consideration, and directed me to report the same back to the House, with one amendment thereto, and when so amended, recommend its passage.

Amend by striking out the words "publication in the Indianapolis Herald and Indianapolis Journal," at the end of the bill, and insert in lieu thereof the word "passage."

Which was laid on the table.

Mr. Crain moved to take up House bill No. 286.

Which was agreed to.

House bill No. 286. A bill in relation to the erection of a suitable building for the Supreme Court and the State offices.

Was read a second time.

Mr. Crain offered the following amendment :

Strike out of the first section the words, "north of the State House."

Which agreed to.

Mr. Shuey offered the following amendment :

Insert, in the proper place, "at a cost not exceeding fifty thousand dollars."

Which was agreed to.

Mr. Crain moved that the bill be considered engrossed.

Mr. Crain moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and that it be read a third time to-day.

Mr. Belford moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The ayes and noes were taken, as required by the Constitution.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bird, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Douglass, Edmonson, Ervin, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Montgomery, Newcomb, Newland, O'Neil, North, Peelle, Ratliff, Ross, Rosser, Sabin, Scammarhorn, Shields, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—82.

Those who voted in the negative were,

Messrs. Greer, Hudson, Hughes, Prather, Shanks, Shull—6.

So it was deemed expedient, and the constitutional rule was suspended.

House bill No. 286 was read a third time.

The question being, shall the said bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bird, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Litson, Long, of Kosciusko, Martin, Mason, Matthis, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Newcomb, North, Peelle, Ross, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Wabash, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Bobo, Douglass, Greer, Hudson, Hughes, Hungate, Inman, Long of Jackson, Lopp, Montgomery, Prather, Ratliff, Shanks, Shull, Van Valkenburgh, and White—16.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

Mr. Crain moved that said title be amended to read as follows :

“ A bill providing for the erection of a suitable building for the use of the Supreme Court and State officers, and borrowing money from the sinking fund therefor, and securing the re-payment of the same ; making certain regulations touching the law library, and

authorizing the Judges of the Supreme Court to rent rooms for their accommodation until such building is completed.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Greene moved that the House will not hold a session on to-morrow (Friday) night.

Which was agreed to.

Mr. Belford moved to take up House bills No. 212 and 259, and that they be placed on the files.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the accompanying concurrent resolution, to-wit:

#### HOUSE BILLS ON THIRD READING.

House bill No. 141. A bill regulating interest on money, and repealing all laws conflicting therewith.

Was taken up, having previously been read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Brucker, Chambers, Corey, Daggy, Ferris, Funk, Higgins, Hopkins, Honneus, Hudson, Martin, Mason, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, North, Peelle, Ratliff, Rosser, Sabin, Scammahorn, Shuey, Smith of Wabash, Spencer, Stewart, Thrasher, Thomas, Watson, Williams, Wilson, White, Wolfer, Wolfli, Woods, and Wright—42.



Those who voted in the negative were,

Messrs. Baker, Bird, Blanch, Bobo, Campbell, Crain, Crowe, Douglass, Edmonson, Ervin, Evans, Foulke, Geisendorff, Gordon, Greer, Griggs, Hamilton, Hostetter, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Matthis, McCarthy, McFadin, McLean, Newcomb, Newland, Prather, Ross, Shanks, Shields, Shook, Shull, Skidmore, Stafford, Tebbs, Thacher, Van Valkenburgh, Vawter, Wason, Wolfe, and Mr. Speaker—45.

So the bill did not pass.

House bill No. 229. A bill granting the Trustees of the several townships of this State the power to levy and collect moneys, to be known as a bridge fund, in the way and manner that other taxes are levied and collected,

Having previously been read a third time, was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bischof, Black, Blanch, Chambers, Daggy, Evans, Ferris, Foulke, Gordon, Litson, Martin, Mason, McClasky, McMurray, Moore, Morrison, Montgomery, Shuey, Skidmore, Spencer, Stewart, Thrasher, Wason, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—30.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Bobo, Brucker, Crowe, Douglass, Edmonson, Ervin, Funk, Fuller, Geisendorff, Greer, Griggs, Hartman, Hamilton, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Long of Jackson, Lopp, McCarthy, McFadin, Newcomb, Newland, O'Neil, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shull, Smith of Wabash, Stafford, Tebbs, Thacher, Thomas, Van Valkenburgh, Vawter, Watson, Williams, and Wilson—51.

So the bill did not pass.

House bill No. 278. A bill to amend the fourth paragraph of section first of an act fixing the time of holding Circuit Courts in the several counties of this State, approved June 18, 1852,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Chambers, Corey, Crain, Crowe, Daggy, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Long of Jackson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, Newland, O'Neil, North, Peele, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stewart, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, and Mr. Speaker—79.

Mr. Mason voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Evans, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom were referred House bills Nos. 233 and 316, have had the same under consideration, and have instructed me to report the same correctly engrossed.

The Speaker announced that he had signed House bill No. 142.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled House act No. 53, and the same is herewith returned to the House.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled bill No. 142, have carefully compared the same with the engrossed bill thereof, and direct me to state that they find it correctly enrolled.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 316. A bill to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion, for acts done in the military service of the United States, and in the military service of the State of Indiana, and in enforcing the laws and preserving the peace of the country.

The same was taken up, and read a third time.

Mr. Gordon moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Brucker, Campbell, Crain, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer,  
H. J.—53

Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Black, Bobo, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Shanks, Shields, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe,—34.

So the bill passed.

Mr. Montgomery offered the following amendment to the title:

“A bill to protect and indemnify officers and soldiers of the United States, and soldiers of the Indiana Legion, for acts done without authority of law, while in the military service of the United States and of the State of Indiana, and appropriating the sum of three thousand dollars out of the State Treasury to pay for conducting the defense of parties prosecuted for the violation of the laws of their country.”

The question being on the amendment offered by Mr. Montgomery,

Messrs. Hughes and Montgomery demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bird, Corey, Crowe, Edmonson, Greene, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, McFadin, Montgomery, Newland, O'Neil, Ross, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White and Wolfe—28.

Those who voted in the negative were,

Messrs. Bischof, Blanch, Brucker, Campbell, Crain, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason Watson, Wilson, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—58.

So the amendment was not agreed to.

Mr. Hughes moved to amend the title as follows:

A bill to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion, for acts done in the military service of the United States, and in the military service of the State of Indiana, and in enforcing the law and preserving the peace of the country, and providing for defences in actions for libel and slander in certain cases, and appropriating money to be expended by the Governor in certain instances.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of the bill.

Message from the Governor, by Mr. Commons, his Private Secretary.

MR. SPEAKER:

I am directed by Governor Baker to inform your honorable body that he has approved and signed Enrolled act No. 53, "an act to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict therewith," and that the same has been deposited in the office of the Secretary of State.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed bills thereof, to-wit:

Senate bill No. 46, entitled "an act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof."

Senate bill No. 14, entitled "a bill to establish a Board of Immigration for the purpose of encouraging immigration to the State of Indiana from the Eastern States of the United States, and from the countries of Europe."

Senate bill No. 20, entitled "an act to amend an act entitled an act prohibiting the Supreme, Circuit or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their Deputies from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof."

Senate bill No. 94, entitled "a bill to provide for the protection of fur-bearing animals."

In which the concurrence of the House is respectfully requested.

Also, I am further directed by the President of the Senate to inform the House that he has signed Enrolled House act No. 42, and the same is herewith returned.

On motion by Mr. Vawter, the House adjourned.

SEVEN O'CLOCK, P. M.

The House met.

Mr. Belford moved that Senate bill No. 47 be taken up.

Which was agreed to.

Senate bill No. 47. A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.

Was read a first time and referred to the Committee on Corporations.

Mr. Newland moved to take up

Senate bill No. 86. An act supplemental to an act for the incorporation of high schools, etc.

Was read a second time and passed to a third reading.

Mr. Peelle moved to take up

House bill No. 111. A bill limiting the liability of innkeepers. Which was agreed to.

Said bill was then ordered to be engrossed.

Mr. Peelle moved to take up the following Senate concurrent resolution :

*Resolved by the Senate, the House concurring,* That each House of the General Assembly will, by a concurrent vote, on to-morrow, at 10 o'clock, A. M., proceed simultaneously to elect such Trustees for the Benevolent Institutions of the State as are required by law.

Which was concurred in.

*Ordered,* That the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

House bill No. 248. A bill to provide for the publication of the Reports of the Indiana State Board of Agriculture.

Was read a second time.

Mr. Shoaff offered the following amendment :

Amend section one by adding thereto, the following words :  
 “ And that there be also appropriated the sum of five hundred dollars, to be paid in like manner, for the purpose of enabling the Indiana State Horticultural Society to publish the annual reports of said Society.”



Mr. Ross moved that the House do now adjourn.

Which was not agreed to.

The question being on the amendment offered by Mr. Shoaff.

No quorum voting, Mr. Montgomery moved a call of the House, when the following gentlemen answered to their names, viz :

Messrs. Barritt, Belford, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Corey, Crowe, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Hartman, Hamilton, Hopkins, Hostetter, Hudson, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, Newland, North, O'Neil, Peelle, Prather, Ratliff, Rosser, Sabin, Shanks, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Watson, Wilson, Wolfe, Wolfer, Wolfliu, Wright and Mr. Speaker—68.

On motion, the further call of the House was dispensed with.

The question being on the amendment offered by Mr. Shoaff.

It was agreed to.

Mr. Campbell moved to refer the bill to the Committee on Ways and Means, with instructions to incorporate in the general appropriation bill an appropriation of three thousand dollars for the year 1867, and the same amount for the year 1868, for the publication of the reports named in the bill.

The question being on the motion to refer to the Committee on Ways and Means.

Mr. Tebbs moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

Messrs. McFadin and Miller demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Campbell, Chambers, Daggy, Dunn, Edmonson,



Ervin, Evans, Ferris, Foulke, Geisendorff, Griggs, Hartman, Hopkins, Hudson, Hungate, Long of Jackson, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Thomas, Wilson, and Wolflin—43.

Those who voted in the negative were,

Messrs. Belford, Blanch, Bobo, Brueker, Corey, Crowe, Funk, Gordon, Greene, Greer, Hamilton, Honneus, Hostetter, Inman, Litson, Long of Kosciusko, Lopp, Miller, Newland, Ross, Shull, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Watson, Williams, Wolfe, Wolfer, Woods, Wright, and Mr. Speaker—35.

So the motion the to refer prevailed.

House bill No. 105. A bill defining the crime of conspiracy and prescribing the punishment therefor, and repealing an act entitled "an act defining what shall constitute certain felonies, and fixing the penalties therefor," approved May 31, 1861.

Was taken up.

The amendments heretofore reported were read and agreed to.

The bill was read a second time, and ordered to be engrossed.

Messrs. Chambers and Belford obtained leave to record their votes on House bill No. 316, in the affirmative.

House bill No. 140. A bill to amend sections two and four of an act entitled "an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to licensed dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled "an act for the protection of sheep," approved June 15, 1852, approved March 2, 1865.

With amendments heretofore reported, were read a second time

Mr. Wolfe moved to lay said bill on the table.

Messrs. Greer and Miller demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Brucker, Funk, Greer, Griggs Hartman, Honneus, Inman, Lopp, Mason, McClasky, Miller, Newcomb, Newland, North, Peelle, Sabin, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Staekhouse, Watson, Williams, Wolfe, Wolflin, Woods and Wright—29.

Those who voted in the negative were,

Messrs. Bischof, Blanch, Bobo, Campbell, Carter, Chambers, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Greene, Higgins, Hostetter, Hudson, Kiser, Litson, Long of Kosciusko, Martin, McCarthy McFadin, McLean, McMurray, Moore, Morrison, Prather, Ratliff, Ross, Rosser, Scamahorn, Shanks, Shields, Shook, Shull, Smith of Lagrange, Tebbs, Thacher, Thrasher, Thomas, Wilson, Wolfer and Mr. Speaker—47

So the motion to lay on the table did not prevail.

Mr. Ross moved that the House do now adjourn.

Which was not agreed to.

House bill No. 215. A bill to exempt soldiers, and the widows and children of soldiers who were in the service of the United States during the late rebellion, and who are or may be on the Union muster rolls of the United States, etc.

Was read a second time and ordered to be engrossed, and read a third time to-morrow.

House bill No. 222. An act to amend section seventy-seven of "an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December 20, 1865.

Was read a second time, and ordered to be engrossed.

Mr. Ross moved that the House do now adjourn.

Messrs. Wolfe, Tebbs, Greene, O'Neil Crowe, Morrison, Thacher, Newland, Bobo and Williams demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Barritt, Bischof, Bobo, Campbell, Carter, Crowe, Daggy, Edmonson, Ervin, Gordon, Greene, Griggs, Hamilton, Honneus, Hostetter, Hudson, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McClasky, McFadin, McLean, McMurray, Morrison, Newcomb, Newland, O'Neal, North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shull, Smith of La-grange, Spencer, Thacher, Thrasher, Watson Williams, Wolfe, Wolfer and Wright—49.

Those who voted in the negative were,

Messrs. Belford, Brucker, Chambers, Dunn, Evans, Foulke, Funk, Geisendorff, Higgins, Kiser, McCarthy, Miller, Moore, Ratliff, Shoaff, Skidmore, Smith of Wabash, Wolflin, Woods and Mr. Speaker—20.

So the motion to adjourn prevailed.

FRIDAY MORNING, 9 o'CLOCK, }  
 March 1, 1867. }

The House met.

Mr. Tebbs moved that the reading of the Journal be dispensed with.

No quorum voting, the Speaker ordered a call of the House.

The Clerk proceeded with the call, when the following members answered to their names :

Messrs. Baker, Barritt, Black, Brucker, Campbell, Carter, Chambers, Crain, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Wabash, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, White, Wolfe, Wolfer, Wolflin, Woods, and Mr. Speaker.—75.

On motion, the further call of the House was dispensed with.

The question being on the motion to dispense with the reading of the Journal,

It was agreed to.

Mr. Newland obtained leave of absence for the remainder of the session.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Shoaff,

A petition from sundry citizens of Allen county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Evans,

A petition from sundry citizens of Carroll county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Chambers,

A petition from sundry citizens of Henry county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. McFadin,

A petition from sundry citizens of Cass county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Shields,

A petition from sundry citizens of Fulton county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Ross,

A petition from sundry citizens of Miami county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Campbell,

A petition from sundry citizens of Hendricks county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Campbell,

A petition from sundry citizens of Hendricks county, in relation to the fish law.

- Which was read, and referred to the Committee on Rights and Privileges of the Inhabitants of the State.

By Mr. Montgomery,

A remonstrance from sundry citizens of Shelby county, against any change of the boundary of said county.

Which was read, and referred to the select committee on the subject.

#### REPORTS OF STANDING COMMITTEES.

Mr. McFadin, from the Committee on the Judiciary, made the following majority report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 333—a bill to regulate the rate per mile to be charged by all railroad companies in the State of Indiana for the transportation of passengers, and other matters properly connected therewith—have had the same under consideration, and a majority of said committee have directed me to report said bill back to the House, with four amendments, and when so amended, recommend its passage.

1. Strike out the word "fifteen," in the ninth line of the second page, and insert the word "twenty."

2. Immediately after the word "miles," in the fourth line of the third page, insert the words "and over two miles."

3. Strike out of the second line of the second section the word "passenger," and insert the words "accommodation and way or local mail trains."

4. Strike out the fifth section of the bill.

Mr. Ross, from the same committee, made the following minority report:

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 333, have had the same under consideration, and a minority of said committee, not agreeing with the conclusions to which the majority arrived, would beg leave respectfully to make the following minority report, recommending one amendment, which is herewith reported, and when so amended, recommend its passage."

Strike out all after the enacting clause and insert the following :

That it shall be unlawful for any railroad company, organized or acting under any charter in this State, to charge or receive more than five cents per mile for the transportation of any one passenger, where the distance traveled shall exceed ten miles, and not exceeding six cents per mile when the distance traveled is less than ten miles: *Provided, however,* That no such company shall be compelled to carry any passenger from any one station to another for a less sum than twenty-five cents.

Sec. 2. That all such railroad companies shall stop their accommodation and way mail trains at all the regular stations on such road for the purpose of allowing passengers to get off or on said train, when requested by any passenger on said train, or when signaled to stop by any regular signal of said company.

Sec. 3. All such companies shall adopt a regular and suitable signal to be used in stopping such passenger trains, and keep the same in the possession of some agent at each station for the benefit of passengers.

Sec. 4. Any railroad company violating the provisions of this act, shall, upon conviction thereof, forfeit and pay to the State of Indiana, for the use of the Common School Fund, such sum as the Court may assess, not less than five nor more than five hundred dollars.

Which was laid on the table.

Mr. Daggy, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred memorial No. 14—from the ministers and ruling elders of the Presbyte-

rian Church, constituting the Synod of Northern Indiana, in session at Muncie, October 19, 1866, praying that no divorce shall be granted, except for the cause of fornication—have had the same under consideration, and have directed me to report that legislation on said subject is inexpedient.

Which was concurred in, and the memorial laid on the table.

Mr. Daggy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 294—on the subject of disfranchising deserters and rendering them incapable of holding any office of trust or profit in this State—have had the same under consideration, and have directed me to report, that when the Constitution of this State was established and ordained, the idea of desertion by any of her citizens was so remote, improbable and unnatural, that no provision was made to disfranchise for desertion, and that any and every person having the affirmative qualifications of an elector, may exercise his constitutional right of voting, and that therefore the said bill is unconstitutional, and therefore they recommend its indefinite postponement.

The report was concurred in, and the bill indefinitely postponed.

Mr. McLean, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred Senate bill No. 143—being an act entitled an act to amend an act entitled “an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological and Missionary Boards” approved February 28, 1855—have had the same under consideration, and have directed me to report the same back to the House, and respectfully recommend its passage.

Which was laid on the table.



Mr. Higgins from the Committee on the Northern State Prison, to whom was referred House bill No. 126—a bill to lease the Northern State Prison, and prescribing the terms and conditions in reference thereto—have considered the same, and directed me to report said bill back to the House, with one amendment thereto, and when so amended, recommend its passage.

Amend said bill by striking out all after the enacting clause, and inserting the following in lieu thereof:

That the Board of Directors of the Northern State Prison, with the consent and approval of the Governor, if they deem it for the best interest of the State, may lease the said Northern State Prison, at Michigan City, together with the prison grounds, and appurtenances, and all labor of the convicts, now or hereafter confined in said prison, for the period of ten years, for the consideration and in the manner and subject to the conditions hereinafter in this act provided.

Sec. 2. The lessee shall take said property, subject to all existing contracts made by the Directors of said prison, for the labor of the convicts. He shall perform all the duties, and assume all the liabilities, now devolving on the State in connection with the contracts for the hire of the convicts, and he shall have all the income and profits arising from said contracts, which would otherwise thereafter belong to the State. The lessee shall take all the personal property of the State appurtenant to said prison, upon the payment into the State Treasury of the full appraised value thereof, which appraisement shall be made in the manner hereinafter provided.

Sec. 3. The lessee shall furnish, at his own cost, the necessary number of guards, to be fixed by the Directors, a Warden, Deputy Warden, Clerk, Physician and Moral Instructor, for said prison, which said officers shall perform their respective duties in accordance with the rules, regulations and laws now existing, or that may hereafter be adopted and enacted, so far as the same may be applicable thereunto. The lessee shall also properly feed and clothe the convicts therein, and shall furnish all necessary beds and bedding for the cells, and shall furnish all necessary medicine and medical attendance for the convicts under his charge and control, and shall at all times, as kindly and humanely treat the convicts as the proper police regulation and discipline of the prison will authorize; and he shall keep the State harmless and free from all

expenses and liabilities, in the management of the prison and the convicts therein confined, in the recapture of escaped prisoners, and in the gateage allowed to prisoners upon their discharge.

Sec. 4. Such lessée shall enter into a bond, payable to the State of Indiana, in the penal sum of fifty thousand dollars, with freehold sureties, to be approved by the Governor and the Board of Directors of the prison, and conditioned for the faithful performance of the duties and responsibilities imposed upon him by this act, which bond shall be filed in the office of the Secretary of State. The said bond shall be renewed, with new and additional sureties, upon the demand of the Governor and Board of Directors, whenever in their opinion the interests of the State shall require it.

Sec. 5. The Warden and Deputy Warden of the prison shall be appointed by the Board of Directors and before entering upon the discharge of the duties of their offices, they shall each take an oath to faithfully perform their respective duties, and to obey all laws and regulations applicable thereto. No officer appointed under the provisions of section three of this act, shall be interested in the lease, or interested in the working or leasing any of the convicts confined in the prison.

Sec. 6. The lessee shall provide a competent Physician and Moral Instructor for said prison, by and with the advice and approval of the Directors, who shall hold their offices during the pleasure of the Board of Directors, and without expense to the State; and all other officers and employees connected with the police and domestic management of the prison, shall be appointed and removed by and at the pleasure of the lessee or his successor in interest; and the lessee shall also pay the salaries of the Board of Directors.

Sec. 7. All laws now existing, or that may hereafter be enacted by the General Assembly of the State, respecting the police and management of said prison, and not inconsistent with the provisions of this act, shall have full force as against the lessee and his successors in interest.

SEC. 8. The appraisalment provided for in the second section of this act shall be made by three disinterested freeholders of this State, one of whom shall be appointed by the Board of Directors, another by the lessee, and third by the Governor, who shall, before proceeding to take such appraisalment, take an oath to faithfully

and impartially appraise such personal property as may belong to the State in connection with said prison, and said appraisers shall make an inventory in duplicate of said property, the original of which shall be filed in the office of the Secretary of State, and the duplicate with the lessee; and if the appraisers thus provided shall fail to perform said duty within twenty days after written notice of their appointment, then other appraisers shall, in the same manner, be selected to make such appraisement.

SEC. 9. Upon the expiration of the lease, or the annulment of the same, as hereinafter provided for, the lessee may deliver on the prison grounds an amount of personal property suitable for the use of the prison, equal in value to that received by him from the State, the same to be determined by the appointment of three disinterested freeholders of the State appraisers thereof, who shall be selected and qualified, and perform their duties as provided in the eighth section of this act, whereupon the State shall pay the lessee the appraised value of such personal property.

SEC. 10. The lessee shall keep the library of the prison in as good condition as he receives it, and he shall annually expend the sum of one hundred dollars in making such additions to it, from time to time, for the instruction of the convicts, as the Directors may require.

SEC. 11. The lessee shall keep the prison and appurtenances in repair, and return the same to the State at the expiration of his lease in as good repair as when the same was received by him, ordinary wear and natural decay and accidents by fire excepted.

SEC. 12. Nothing in this act contained shall be so construed as to prevent the General Assembly from changing or designating the sub-divisions or districts of the State from which convicts shall be sent to said prison.

SEC. 13. The lessee shall not assign or transfer such lease, or any part thereof, or any interest therein, to any person or persons, without the consent and approval of the Board of Directors and the Governor of the State, first had and obtained.

SEC. 14. Upon the violation by the lessee of any of the provisions and covenants of the lease, or for the committing of any un-

necessary waste of, or injury to the property of the State in and about said prison, it shall be the duty of the Board of Directors, after obtaining the approval of the Governor, in writing, to re-enter said prison, re-let the same, or otherwise manage and control it until the then next session of the General Assembly. And from the decision of a majority of the Directors approved by the Governor, there shall be no appeal.

SEC. 15. It shall be the duty of the Directors, before closing any contract contemplated by this act, to carefully consider every proposal for the letting of said prison, and the fitness and responsibility of the proposed lessee, with a view to obtaining the best contract for the interests of the State, all of which proposals shall be made in writing, and submitted to the Governor; but said Directors are hereby forbidden to lease said prison on any terms that do not protect the State against the payment of any of the expenses of supporting and providing for the convicts therein, and from all other expenses whatever on account of said prison.

SEC. 16. The Governor is hereby authorized and empowered, whenever in his judgment the public interests may require it, to appoint one or more visitors, not exceeding three in number, to visit and inspect the said prison, and its management, including the official acts of its officers and employees. And such visitor or visitors shall be permitted to examine the books, accounts and expenditures of said prison, and shall report to the Governor the result, making such recommendations as to the correction of any abuses which may be found to exist, and such suggestions as to reforms as their investigations may, in their judgment, require. And said visitors shall have power to administer oaths, and to take the testimony of witnesses in the prosecution of their investigations, and to send for persons and papers: *Provided*, That no visitor so appointed shall receive any compensation for his services except his actual expenses.

SEC. 17. All laws in conflict with the provisions of this act are hereby repealed.

SEC. 18. An emergency is hereby declared to exist, and this act shall therefore take effect and be in force from and after its passage.

Which was laid on the table.

Mr. Ross, from the Committee on the Judiciary, made the following report :

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 11—entitled “an act to amend sections three and fourteen of an act entitled an act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free,” approved March 6, 1865, with the pending amendments—have had the same under consideration, and a majority of said committee direct me to report the same back with one amendment, and, when so amended, recommend its passage.

Amend Senate bill No. 11 by adding, at the proper place, the following section :

SEC. —. That section eighteen of said act be and the same is hereby repealed.

Which was laid on the table.

Mr. Sabin, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred Senate Bill No. 36, have had the same under consideration, and have directed me to report the same back with the following amendment, and, when so amended, recommend that it do pass :

Amend by striking out the words “twelve hundred dollars,” and insert in lieu thereof, the words “eight hundred dollars.”

The committee also recommend that section nine of the above entitled act be repealed.

Which was laid on the table.

Mr. Hartman, from the Committee on Railroads, made the following report :

MR. SPEAKER :

The Committee on Railroads, to whom was referred House bill No. 180, have had the same under consideration, and have requested me to report the same back with a recommendation that it be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

Mr. Chambers, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred Senate bill No. 47—entitled “a bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops”—have had the same under consideration, and have directed me to report the same back to the House and unanimously recommend its passage.

Which was laid on the table.

Mr. Brucker, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House Bill No. 328—an act to authorize the Common Council of Evansville to take stock in the Evansville, Henderson & Nashville Railroad Company—have had the same under consideration, and have directed me to report the same back, and recommend that it do pass.

Which was laid on the table.

Mr. Barritt, from the Committee on Corporations, made the following report :

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 119, have had the same under consideration, and authorize me to report the same back and recommend that it do pass.

Which was laid on the table.

Mr. Daggy, from the Special Committee on Judicial Circuits, made the following report:

MR. SPEAKER:

The committee of one from each Judicial Circuit of this State, to whom was referred the memorial of the members of the bar residing and practicing in Wayne county, remonstrating against the passage of an act making Wayne, Randolph, Jay and Blackford counties a judicial circuit, have had the same under consideration and directed me to report that, owing to the legislation of the present session on the subject matter of said memorial, the further consideration thereof is unnecessary, and therefore ask to be discharged therefrom.

Which was concurred in.

Mr. Daggy, from the Select Committee on House bill No. 250, made the following report:

MR. SPEAKER:

The Select Committee of one from each Judicial Circuit of this State, to whom was referred House bill No. 250, have had the same under consideration, and directed to return the same to the House with the recommendation that the organization of surrogate courts is inexpedient, and that said bill be indefinitely postponed.

Which was concurred in, and said bill was indefinitely postponed.

Mr. Hughes, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House



joint resolution No. 16—a joint resolution vacating a highway near the Asylum for the Deaf and Dumb, and authorizing the Trustees of said Institution to resume possession of the land over which the same runs—have had the same under consideration and directed me to report said joint resolution back without amendment and recommend its passage.

Which was laid on the table.

Mr. Hughes, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 209—a bill to authorize Canal Companies which have ceased to be used for purposes of navigation to lease to Hydraulic Companies, to control the same, and requiring them to be kept in repair, and to fulfil leases made by the State or by Canal Companies have considered the same and directed me to report said bill back and recommend that it be indefinitely postponed.

Mr. Peelle moved that said bill be laid on the table.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Senate bill No. 105, entitled an act to amend section five of an act entitled “an act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, approved June 1, 1852, and providing for criminal and civil Circuit Courts,” approved Dec. 20, 1865.

Senate bill No. 174, entitled “an act for the relief of Peter Wells and Benoni Wells.”

In which the concurrence of the House is requested.



And, also, that the Senate has passed the following House bills, to-wit:

House bill No. 96, entitled "a bill authorizing the Board of Trustees of incorporated towns to establish fire limits and to prevent the erection of wooden buildings within such limits."

House bill No 77, entitled "a bill to increase the salaries of the Prosecuting Attorneys of the 16th Judicial Circuit, and providing the manner of paying the same."

And that the Senate has passed the following engrossed amendments to House bill No. 77, to-wit:

After the word "that," in the fourth line of the first section, insert the words "the Board of Commissioners of any county in which a Criminal Circuit Court is organized may allow the Prosecuting Attorney of such court."

2d. Strike out of the fourth, fifth, sixth and seventh lines of said section the words "there shall be allowed the Prosecuting Attorneys of the Criminal Circuit Courts in this State."

3d. After the word "dollars," in the eighth line of said section, insert the words "per year."

4th. Strike out the last word of the tenth line of said section and insert the word "each."

5th. After the word "county," in the eleventh line of said section, strike out all the balance of the section.

Amend further by changing the title as endorsed on said bill to conform to title preceding the enacting clause thereof.

In which amendments the concurrence of the House is requested.

Also, House bill No. 8, entitled "an act to amend section 99 of practice act," with the following engrossed amendments thereto, to-wit:

Amend the second section by adding thereto the following words: "After the occurrence of such mistake, surprise, excusable neglect or otherwise."

In which the concurrence of the House is respectfully requested.

Mr. Hughes, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 125—a bill for the relief of Daniel A. Bynum, Treasurer of Greene County, in the State of Indiana—have examined three witnesses in reference to the matters set forth in the preamble to said bill, and find the facts to be, that a short time prior to the 16th day of January, 1867, the Treasurer of State sent a circular or requisition to Mr. Bynum, who was at the time, County Treasurer of Greene county, requesting him to remit to said Treasurer of State by express, all the money in his hands, as such County Treasurer, belonging to the State; that, on the 16th day of January, 1867, in the obedience to the requirement of the Treasurer of State, Mr. Bynum proceeded to remit the money in the following manner: He placed in an express envelope, the money, (\$1,700) sealed it up and delivered it to one Parson, a respectable citizen of Greene county, to be by him placed in the Express Company's office, in the city of Terre Haute, directed to the Treasurer of State at Indianapolis; that said Parson proceeded to Terre Haute with the money and placed the package of money in a bank for safe keeping, intending at the time to go to Indianapolis himself and take the money with him; but on the same day, in the evening, said Parson determined to return home, and go to Indianapolis by another route, at least, he intended to take the cars at another point than Terre Haute; and thereupon said Parson went to the bank, got the money, and instead of placing it in the office of the express company, as he should have done, placed it in a pocket in his overcoat, went and hitched up his team and started for his home in Greene county, and on arriving at the village of Lockport, on the road about ten miles from Terre Haute, he ascertained, (according to his own testimony before the committee,) that he had lost the package. He, with others, immediately returned to Terre Haute in the night time, examining the road all the way, and after diligent search and inquiry, were unable to find the money.

At the time said Parson left his home to go to Terre Haute, he was intrusted with several considerable sums of money by merchants of Greene county, to be paid to merchants at Terre Haute.

It seems he transacted all their business properly and was induced to retain possession of the package in order that he might bring it himself to Indianapolis, deliver it to the Treasurer of State and receive the compensation which would otherwise be paid to the express company, as he swears he intended to come to Indianapolis on other business, and wanted to pay expenses.

Your committee find that Terre Haute was as convenient to Greene County as any other place, for the purpose of expressing money or other articles; that said Parson had always maintained a good reputation as an honest man, and was an old resident of Geene county. But your committee must say that in this instance, said Parson is guilty of gross, if not criminal negligence, for which he can have no excuse.

Your committee find that Mr. Bynum acted in good faith in the matter, and was acting in obedience to the requirements of the law, and as it was positively and satisfactorily proven before your committee that said Parson had the entire confidence of the community where he lived, as being a safe, prompt and honest business man, we are compelled to exonerate him from the least blame in the matter.

Without discussing the question of whether Mr. Bynum has not a good defense at law, the committee have directed me to report said bill back to the House for its action, without any recommendation, and the committee ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Stewart, from the Select Committee, on the subject of the Lincoln Monument, made the following report:

MR. SPEAKER:

Your committee, to whom was referred the Message of the Governor, on the memorial of the Lincoln Monument Association, asking aid from the Legislature of Indiana to erect a monument to the memory of Abraham Lincoln, such as will be worthy of his fame and public services, and truly represent the love and reverence of the American people for the great principles of liberty and justice which always found in him so able an advocate, and in the carrying out of which he lost his life, would beg leave to make the following report:

The committee to whom this matter was referred, are fully prepared to appreciate the worthiness of the object, and feeling that it would be a matter of pride for our noble State, within whose bounds Mr. Lincoln spent a portion of his early life, to have a part in the monument that shall speak his fame to the nation, would recommend an appropriation to this object of ten thousand dollars, and that the same be incorporated in the Specific Appropriation bill, to be drawn on the warrant of the President of the Lincoln Monument Association, approved by the Governor of Indiana, when one hundred and twenty-five thousand dollars shall have been expended in the erection of said monument.

Mr. Hughes moved to concur in said report.

Mr. Hughes moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

Messrs. Stackhouse and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hughes, Litson, Martin, McCarthy, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammarhorn, Shook, Shuey, Skidmore, Smith of Lagrange, Spencer, Stafford, Thrasher, Thomas, Watson, Wilson, Wolfer, Wolfli, Woods, and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Baker, Barritt, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Long of Jackson, Lopp, McClasky, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Sabin, Shanks, Shields, Shoaff, Shull, Smith of Wabash, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—41.

So the report was concurred in.

The Committee on Ways and Means was instructed to incorporate the same in the specific appropriation bill.

Messrs. White and Barritt obtained leave of absence until Monday next.

Mr. Miller offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring therein,* That we meet in joint convention in this House, on Friday, at ten o'clock, to ballot for a location of the Agricultural College, designating the county in which it shall be located; and in balloting, the two lowest places shall be dropped until the number shall be reduced to three, and then the lowest place shall be dropped, and the place or county then receiving the highest number of votes shall be adopted, and the place thus selected shall be chosen as the location of said college, on such terms as the General Assembly may designate.

Whereupon the Speaker decided the foregoing resolution to be out of order, from the fact that the subject matter embraced in said resolution was, by a vote of the House on yesterday, indefinitely postponed, and could not, by any device, be brought before the House during the present session of the General Assembly.

Mr. Honneus offered the following resolution :

WHEREAS, The Auditor of State was called upon, by a resolution of this House, for information in regard to a suit against the Louisville, New Albany and Chicago Railroad Company, in regard to delinquent taxes due by said railroad company, to the amount of one hundred thousand dollars, to counties through which said railroad runs, and, likewise, an additional large amount of money due to the State of Indiana; and,

WHEREAS, The said Auditor has responded to said resolution of inquiry by a letter from the Attorney General of State; and,

WHEREAS, It appears that the said Auditor of State knows of no money having been paid into the Treasury of State in consequence of said suit; and,

WHEREAS, It appears that the Auditors of some of the counties interested in the delinquent taxes due by said railroad know of no money having been received by those counties from said delinquent; therefore, be it

*Resolved*, That a committee of three be appointed and empowered, with authority to send for papers and persons, to inquire into the said matter, and report to this House a plan by which delinquent parties, if there are any, may be brought to justice.

Which was agreed to.

Mr. Brucker presented the claim of Fred Vœlke, Jr., for the care of artillery at Tell City during the year 1865. Amount of claim sixty-five dollars.

Which was referred to the Committee on Claims.

Mr. Crowe, from the Committee on Claims, by consent, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of W. H. Drapier, for preparing a calendar of business pending before the House of Representatives at the opening of the special session of 1865, have had the same under consideration, and find that the preparation of said calendar was a voluntary act on the part of said Drapier, and would therefore recommend that the same be not allowed.

Which was concurred in.

Mr. Shoaff offered the following resolution:

*Resolved*, That the Secretary of State be, and he is hereby authorized to procure and send to each member of this House, and each officer thereof, two copies each of the House and Senate Journals, two copies of the Brevier Legislative Reports, and two copies of the Acts of the present session, one copy each to be bound in full sheep.

#### SPECIAL ORDER FOR THE DAY.

In pursuance of a concurrent resolution of yesterday, at ten



o'clock A. M. the House proceeded to the election of three Trustees for the benevolent institutions.

Mr. Newcomb moved that the House proceed to the election in the following order :

1st. The Trustee for the Asylum for the Blind.

2nd. The Trustee for the Institution for the Education of the Deaf and Dumb.

3d. The Commissioner for the Hospital for the Insane.

Which was agreed to.

Mr. Newcomb nominated John S. Spann.

Mr. Baker nominated Lewis Dale.

The House then proceeded by a *viva voce* vote to elect the Trustee for the Blind Asylum, with the following result :

Those who voted for Mr. Spann were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Millér, Moore, Newcomb, Newland, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—62.

Those who voted for Mr. Dale were,

Messrs. Baker, Barritt, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, McFadin, Morris, Montgomery, O'Neil, Ross, Shanks, Shields, Shoeff, Shull, Tebbs, Thatcher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—35.

John S. Spann, having received a majority of all the votes cast, was declared elected on the part of the House of Representatives, a Trustee of the Asylum for the Blind.

Mr. Prather nominated James C. Burt.

Mr. Thacher nominated J. G. Wolfe.

The House proceeded by a *viva voce* vote, with the following result:

Those who voted for Mr. Burt were,

Messrs. Bischof, Blanch, Brucker, Campbell, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—60.

Those who voted for Mr. Wolfe were,

Messrs. Baker, Barritt, Bobo, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, McFadin, Morrison, Montgomery, Newland, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburg, Vawter, Williams, White, and Wolfe—36.

James C. Burt, having received a majority of all the votes cast, was declared duly elected a Trustee for the Institution for the Education of the Deaf and Dumb.

Mr. Moore nominated John W. Moody.

Mr. Greene nominated J. S. Athon.

The House proceeded by a *viva voce* vote, with the following result:

Those who voted for Mr. Moody were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton,



Higgins, Hopkins, Hudson, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—59.

Those who voted for Mr. Athon were,

Messrs. Baker, Barritt, Black, Bobo, Carter, Corey, Crowe, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, McFadin, Montgomery, Newland, N'Neil, Ross, Shanks, Shields, Shoeff, Shull Stackhouse, Tebbs, Thacher, Van Valkenburg, Vawter, Williams, White, and Wolfe—35.

John W. Moody, having received a majority of all the votes cast, was declared duly elected on the part of the House, Commissioner for the Hospital, for the Insane.

*Ordered*, That the Clerk inform the Senate of the result of the election.

The Committee on Ways and Means obtained leave to sit during the sessions of the House.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that, agreeably to the concurrent resolution of this General Assembly, passed on February 28, the Senate has this day voted for the following named officers for the Benevolent Institutions of this State, with the following result :

For Trustee of the Asylum for the Blind—John S. Spann received 29 votes ; Berry M. Cooper received 17 votes.

For Trustee of the Institution for the Education of the Deaf and Dumb—James C. Burt received 28 votes ; Jacob Wolf received 17 votes.

For Commissioner for the Hospital for the Insane—John W. Moody received 28 votes ; Lewis C. Dale received 16 votes.

And that Messrs. Spann, Burt and Moody received, respectively, a majority of all the votes cast, and were declared the choice of the Senate for their respective offices, in which the concurrence of the House is respectfully requested.

Mr. Funk introduced

House bill No. 337. A bill to fix the time of holding courts in the county of Kosciusko, of the Fourteenth Judicial Circuit.

Which was read a first time.

Mr. Funk moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read by sections on three several days, and that said bill be read a second time by its title, and a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Bobo, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hostetter, Hudson, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newland, North, Peele, Prather, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thatcher, Thrasher, Thomas, Vawter, Wason, Watson, White, Wolfe, Wolfer, Wolfli, Woods, Wright and Mr. Speaker—77.

No one voting in the negative.

So it was deemed expedient to suspend the constitutional rule.

House bill No. 337 was read a second time by its title, and a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischoff, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Ervin, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newland, North, O'Neil, Peelle, Prather, Ratliff, Ross, Sabin, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods and Mr. Speaker—82.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed House bills, to-wit:

House bill No. 13, entitled "a bill to create the 18th Judicial Circuit of the State of Indiana."

Also, House bill No. 278, entitled, "a bill to amend the fourth paragraph of section first of an act entitled an act fixing the time of holding Circuit Courts of the several counties of this State," approved June 18th, 1852.

Also, House bill No. 99, entitled, "a bill to empower the Board  
H. J.—55

of County Commissioners of the several counties of this State to convey cemeteries to incorporated towns and cities."

Mr. Moore moved to take up House bill No. 210.

Which was not agreed to.

Mr. Daggy introduced,

House bill No. 338. A bill fixing the times of holding the Civil Circuit Courts in the several counties of this State, the length of the terms thereof, and other matters properly connected therewith.

Which was read a first time and referred to the Committee on the Organization of Courts of Justice.

The Speaker announced that he had signed House bills Nos. 13 and 96.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Committee on Enrolled Bills, to whom was referred enrolled bills Nos. 13 and 96, have carefully compared the same with the engrossed bills thereof, and direct me to report the same correctly enrolled.

The Speaker announced the following Special Committee:

Special Committee on the resolution introduced by Mr. Honneus, in regard to a suit against the New Albany, Louisville and Chicago Railroad Company, in regard to delinquent taxes due by said company:

Messrs. Honneas, Belford and Crain.

Mr. Stewart moved to take up House joint resolution No. 16.

Which was agreed to.

House joint resolution No. 16. A joint resolution vacating a highway near the Asylum for the Deaf and Dumb, and authorizing said institution to resume possession of the land over which the same runs.

Was read a second time and considered engrossed.

Mr. Stewart moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Higgins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Montgomery, Newland, North, O'Neil, Peelle, Prather, Ratliff, Ross, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, and Mr. Speaker—75.

Those who voted in the negative were,

Messrs. Shields and Vawter—2.

So it was deemed expedient to suspend the constitutional rule and House Joint Resolution No. 16 was read a third time.

The question being, shall said House joint resolution pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Brucker, Campbell, Crain, Crowe, Daggy, Danaldson Dunn, Edmonson Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Montgomery, Newland, O'Neil, North, Peelle, Prather, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh Vawter, Wason, Watson, Williams, Wilson, White, Wolfe Wolflin, Wolfer, Woods, and Mr. Speaker—81.

Mr. Barritt voting in the negative.

So the House joint resolution passed.

The question being, shall the title, as read, stand as the title to said joint resolution?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said joint resolution.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed bill thereof, to-wit:

Senate bill No. 114, entitled an act to amend an act entitled "an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto.

In which the concurrence of the House is respectfully requested.

Mr. Evans, by consent, introduced

House bill No. 339. A bill to amend the fifth section of "an act to legalize the issuing of bonds, and making appropriations, and the levy and assessments for taxes in certain cases, and making it unlawful after the quota of the State, on the present call is filled, for bonds of County Commissioners or the municipal authorities of incorporated towns and cities, to pay any money out of the treasuries, or the issue of any bonds, orders or evidence of indebtedness, to give bounties to volunteers, drafted men or substitutes," approved March 3, 1865.

Which was read a first time, and passed to a second reading.

Mr. Van Valkenburgh moved to take up House bill No. 223, a bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana.

Which was agreed to.

House bill No. 223, was read a second time. The amendments heretofore reported, were read, and,

On motion, were laid on the table.

Mr. Ross moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read on three several days, and that said bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Baker, Bird, Bischof, Blanch, Bobo, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Griggs, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Montgomery, Newland, O'Neil, North, Peelle, Prather, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, and Mr. Speaker—78.

Mr. Douglass voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and said bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Bird, Bischof, Blanch, Brucker, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky,



McFadin, McLean, McMurray, Moore, Montgomery, Newland, O'Neil, North, Peelle, Prather, Ross, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Llagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wollin, and Woods—80.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Long, of Kosciusko, by consent, introduced

House bill No. 340. A bill to prohibit the sale of intoxicating liquors as a beverage, declaring places where they are thus sold a nuisance, and to regulate their sale for useful purposes, and to repeal all laws in conflict with this.

Which was read a first time, and referred to the Committee on Temperance.

Mr. Ross, by consent, introduced

House joint resolution No. 25. A joint resolution instructing our Senators, and requesting our Representatives, to procure the repeal of all laws of Congress exempting bonds, treasury notes, certificates of indebtedness, fractional currency, and all other evidences of indebtedness of the United States, from taxation for State and municipal purposes, and to provide, by loan, for their taxation, at a rate no higher than other property of such State is taxed for like purposes.

Which was read a first time, and passed to a second reading.

Mr. Stafford moved to take up House bill No. 333. A bill to regulate the rate per mile to be charged by all railroad companies



in the State of Indiana, for the transportation of passengers, and other matters properly connected therewith.

Which was agreed to.

House bill No. 333 was read a second time. The amendments were read, as follows :

1. Strike out the word "fifteen," in the ninth line of the second page, and insert the word "twenty."

Which was agreed to.

2. Immediately after the word "miles," in the fourth line of the third page, insert the words "and over two miles."

Which was agreed to.

3. Strike out of the second line of the second section, the word "passenger," and insert the words "accommodation and way or local mail trains."

Which was agreed to.

Mr. Stafford offered the following amendment :

Amend by striking out the words "three and a quarter," wherever they occur, and insert the word "three."

Mr. Wilson moved to postpone the whole matter indefinitely.

Which was not agreed to.

Mr. Higgins offered the following amendment :

Amend by adding that "nothing in this act shall authorize any railroad company whose charter limits its rates of fare, to increase said rates above those specified in their charter.

Mr. Stafford moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

On motion, the emergency clause was stricken out.

Mr. Prather offered the following amendment :

This act shall take effect and be in force from and after the first day of May next, and that the Secretary of State be required to furnish each of the railroad companies of this State a certified copy of this act.

Which was agreed to.

Mr. Shull offered the following amendment :

Strike out all of said amendment regulating fare per mile.

Mr. Spencer moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Shull,

It was not agreed to.

The question being on the amendment offered by Mr. Higgins,

It was agreed to.

The question being on the amendment offered by Mr. Stafford

It was agreed to.

Mr. Hughes moved that the House go into a committee of the whole on Senate bill No. 161, at 2 o'clock P. M.

Which was agreed to.

On motion by Mr. Hughes, the House adjourned.

TWO O'CLOCK, P. M

The House met.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled House acts Nos. 13 and 96, and herewith returns the same.

Mr. Newcomb, from the Committee on Ways and Means, made the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred so much of the Governor's Message as relates to the revenue of the State, have instructed me to report to the House the accompanying bill, entitled "an act to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State," and the committee recommend the passage of said bill.

Mr. Newcomb, by consent, introduced

House bill No. 341. A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State.

Which was read a first time, and passed to a second reading.

Mr. Crowe moved to make House bill No. 333 the special order for to-morrow at ten o'clock A. M.

Which was agreed to.

Mr. Litson offered the following resolution:

WHEREAS, Mr. Richard Edwards has in course of preparation a work on the State of Indiana, showing our many advantages as an agricultural and manufacturing State; and,

WHEREAS, Mr. Edwards' Directories and other publications are

well known and approved throughout the Western States; therefore, be it

*Resolved*, That we hereby approve of Mr. Edwards' work on the State of Indiana, and recommend our fellow citizens to give him such encouragement and subscriptions as the importance of the work demands.

Which was not agreed to.

Mr. Lopp offered the following resolution:

*Resolved*, That the Committee on Education, to whom was referred House bill No. 242, be requested to report the same back to this House at their earliest convenience, with their proceedings thereon.

Which was agreed to.

Mr. Long, of Jackson, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Deitz & Davis for rent of rooms furnished for Committee on Arbitrary Arrests in 1863, have had the same under consideration, and would recommend that the same be not allowed.

Which was laid on the table.

On motion by Mr. Hughes, the House resolved itself into Committee of the Whole, with Senate bill No. 161 under consideration, with Mr. Miller in the chair.

After remaining in session some time, the committee rose and made the following report through its chairman:

MR. SPEAKER:

The Committee of the Whole House, to whom was referred Senate bill No. 161, have had the same under consideration, and after agreeing to the following amendments, have instructed me to report the same to the House, and when so amended would recommend its passage.

Senate bill No. 161, "a bill to establish a House of Refuge for the correction and reformation of juvenile offenders."

Strike out section three and insert the following:

"The General Assembly at its present session shall, by ballot in joint convention, select a site for said Institution."

Amend section five by inserting the words.

Insert after the words "Assistants not exceeding the number to be fixed by the Governor."

Amend section six by the following: Strike out "five," in second line of section six, and insert "ten."

Amend section seven by the following: Strike out in the first and second lines of the seventh section the words "and he, together with such subordinate officers as may be appointed in accordance with this act."

Amend section nine as follows: Strike out in line three the words "and names of the youth," and in line four the words "detained at the Institution during the year."

Amend section ten as follows: The word "sixteen," in fourth line be stricken out and "eighteen" be inserted. Insert the words "or before guardian," and strike out "or next friend."

Amend section eleven as follows: Strike out "sixteen," the first time, and insert in lieu thereof "eighteen."

Amend section twelve by adding to said section the following: "Which hearing may be waived by the parents or guardian of such minor."

Amend section three by inserting after the word "State," in the sixth line of the printed bill, the words "provided such location shall be in a county to be designated by this General Assembly by vote in joint convention during the present session."

Add to the eleventh section, "provided that any such infant may be discharged at any time before he or she arrives at legal age, as other infants are under this act; and the Court or jury may serve said infant for a shorter period than their arrival at legal age."

Amend section thirteen as follows: In line first strike out the word "sixteen" and insert "eighteen."

Amend section fourteen by inserting after the word "case," in the fifth line, the words "and the parents or guardian of the accused."

Amend section fourteen by striking out "sixteen," in the first line, and inserting "eighteen."

Amend section nineteen by inserting at the end of the section the words "after a hearing before a Justice of the Peace."

Amend section twenty, in lines nine and ten, by striking out "or next friend," and inserting "or before guardian."

Amend section twenty-one by striking out in lines two and three the words "next friend," and inserting after the word "parent," in the second line the word "or."

Strike out section twenty-two.

Amend section twenty-four, in line four, by striking out "or next friend," and inserting "or before guardian."

Amend section twenty-five by commencing at the word "four," in the first line, and striking out said word and all the rest of the section, and in lieu of the part so stricken out insert "fifteen hundred dollars per annum, payable quarterly on the warrant of the Governor, out of the Treasury of the State, and no traveling expenses or other allowance shall be paid to said Commissioners, or any of them."

Amend section twenty-seven by striking out of lines ten and eleven the following words: "therefore should said land not be found in all respects suitable for the location thereon of said Institution." And after the word "State," in line fourteen, "upon full payment of the purchase money."

Add the following new section:

"It shall be the duty of said Board of Control to provide teachers, and instruct all infants under the age of sixteen years in the principles of reading, writing and arithmetic."

Vote on twenty-fifth section reconsidered, and \$800 inserted instead of \$1,500.

On motion by Mr. Hughes, said report was made the special order for to-morrow (Saturday) at 11 o'clock A. M.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills, to whom was referred House bills Nos. 15 and 331, have had the same under consideration, and have ordered me to report the same back correctly engrossed.

Mr. Williams obtained leave of absence until Monday next.

Mr. Scammahorn offered the following resolution :

*Resolved*, That venders of apples, cigars, theater and lottery tickets, and all articles of traffic, be excluded from the House during the time the same may be in session, except by unanimous consent of the House.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, to-wit :

Senate bill No. 218, entitled an act directing the State and county officers to receive certain certificates in payment as money.

Senate bill No. 93, entitled an act concerning interest on money, and to provide for the recoupment of usurious interest.

Senate bill No. 227, entitled an act to consolidate certain bonds, stocks and accounts, of the school fund into one non-negotiable bond, and making other provisions in relation thereto.

In which the concurrence of the House is respectfully requested.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Committee on Enrolled Bills, to whom was referred Enrolled House bill No. 99, have carefully compared the same with

the engrossed copy thereof, and direct me to report, that they find the same correctly enrolled.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled act No. 99, and herewith returns the same.

The Speaker announced that he had signed House bill No. 99.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 15, the same was taken up.

House bill No. 15. A bill to carry out the provisions of an act entitled "an act to create a State Normal School, and declaring an emergency," approved December 20, 1865, and to appropriate the funds necessary for the erection and furnishing of the same, and providing from what funds the same shall be taken and appropriated.

Mr. Wilson moved to recommit said bill with the following instructions :

"Amend the bill so as to provide for a Normal School in each Congressional district in the State."

Mr. McLean, by unanimous consent, moved that the sum of "twenty-five thousand dollars" be stricken out of said bill.

Which was agreed to.

Mr. Belford moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.



The question being on the motion made by Mr. Wilson, to re-commit with instructions.

It was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bird, Bischof, Black, Brucker, Campbell, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Ferris, Foulke, Funk, Geisendorff, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hughes, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wolfer, Wolfin, Woods, and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Edmonson, Greene, Honneus, Hostetter, Hudson, Inman, Lopp, Newland, Shanks, Thrasher, Williams, Wilson, Wolfe, and Wright—15.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Greene moved that when the House adjourn, it adjourn to meet at 7 o'clock, p. m.

Which was not agreed to.

On motion by Mr. Greene the House adjourned.

SATURDAY MORNING, 9 o'clock, }  
 March 2, 1867. }

The House met.

On motion by Mr. Wilson, the reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Van Vaulkenburgh,

A petition from sundry citizens of Marshall county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Chambers,

A petition from sundry citizens of Henry county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Bird,

A petition from sundry citizens of Gibson county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Black,

A petition from 400 ladies of Madison county, in relation to a prohibitory liquor law.

The Clerk proceeded to read said petition,

When Mr. Crain moved that the further reading thereof be dispensed with.

Which was not agreed to, and the petition was read and referred to the Committee on Temperance.

By Mr. Shields,

A petition from sundry members of the New School Presbyterian Church of Rochester, Fulton county, asking for a prohibitory liquor law.

Which was read and referred to the Committee on Temperance.

By Mr. Shields,

A petition from sundry citizens of Fulton county, asking for a prohibitory liquor law.

Which was read and referred to the Committee on Temperance.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Baker, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 164—a bill to provide for the removal from office, death, resignation or inability, of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith—have considered the same, and directed me to report said bill back to the House, without amendment, and recommend its passage.

Which was laid on the table.

Mr. Griggs, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 37—a bill declaring bribery a felony, and to compel the attendance and testimony of witnesses thereto—have had the same under consideration, and instruct me to report the same back to the House with one amendment, and when so amended, recommend its passage.

Amend House bill No. 37 as follows:

Strike out at the close of the bill, the words “and publication in the Indiana State Journal and Herald.”

Which was laid on the table.

Message from the Governor, by Mr. Commons, his Private Secretary :

MR. SPEAKER :

I am directed by Governor Baker to inform your honorable body that he has approved and signed Enrolled Act No. 142, an act authorizing the Board of Directors of Street Railway Companies to raise funds to discharge the indebtedness of such companies by making a prorata assessment against stockholders, to make need-rules in relation thereto, to issue preferred stock in certain cases, and in relation to the individual liability of stockholders.

Also, Enrolled Act No. 14, an act to create the Eighteenth Judicial Circuit of the State of Indiana, and fixing the time of holding courts therein.

Also, Enrolled Act No. 96, an act authorizing the Board of Trustees of incorporated towns to establish fire limits, and to prevent the erection of wooden buildings within such limits, and that the same have been deposited in the office of the Secretary of State.

Mr. Wason, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred House bill No. 279, entitled "an act to provide for the sale of forfeited saline land," introduced by Mr. Stackhouse, have had the same under consideration, and beg leave to report back the same, with the recommendation that it pass.

Which was laid on the table.

Mr. Lopp, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of Jacob Leingang, for rent of stable, etc., furnished to Co. D. 5th Regiment Indiana Legion, in 1864, and for damage sustained by reason of the presence of said company, have had the same under

consideration, and would recommend that the same be not allowed, and that the applicant be allowed to withdraw his application.

Which was concurred in.

Mr. Wright, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claims of Daniel Keely, George Keely and Ira Keely, for services rendered as drum major, assistant drummers and fife majors, in recruiting volunteers and organizing recruits for the service of the United States army, organizing Indiana Home Guards, and in the recruiting service, have had the same under consideration, and would recommend that the same be not allowed.

Which was concurred in.

Mr. Evans, from the Committee on Engrossed bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed bills, to whom was referred House bill No. 140, have had the same under consideration, and ordered me to report the same correctly engrossed.

Mr. Kiser introduced the following resolution :

*Resolved*, That the Committee on Fees and Salaries be instructed to inquire into the propriety of reporting a bill for the reduction of the *per diem* of members of the General Assembly, from five dollars to four dollars per day, and their mileage to fifteen cents per mile.

Which was referred to the Committee on Fees and Salaries.

Mr. Miller being in the chair.

Mr. Branham introduced

House bill No. 342. A bill authorizing the Governor of the State of Indiana to appoint a commission, whose duty it shall be

to settle the claims of the State of Indiana against the general Government, by accepting the "internal improvement bonds" issued by said State, and held in trust for certain Indian tribes by the general Government; to provide for the payment of the balance of the outstanding bonds of the State, issued prior to the year 1846; to provide for the registration, cancelling and burning of said bonds, and providing compensation for said commissioners.

Which was read a first time and passed to a second reading.

Mr. Crain moved that three hundred copies of said bill be printed.

Which was agreed to.

Mr. Newcomb moved to take from the table certain reports from the Committee on Claims, recommending the payment of certain claims for improvements in the city of Indianapolis.

Mr. Chambers moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion, by Mr. Newcomb, to take from the table.

Messrs. Peelle and Newcomb demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Greene, Greer, Griggs, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Kiser, Long of Kosciusko, Martin, Mason, McClasky, McLean, McMurray, Moore, Newcomb, O'Neil, North, Peelle, Prather, Sabin, Scammahorn, Shanks, Shook, Shuey, Skidmore, Smith of Wabash, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods and Mr. Speaker--57.

Those who voted in the negative were,

Messrs. Baker, Bird, Bobo, Carter, Douglass, Fuller, Honneus, Inman, Ross, Tebbs, Thacher, Vawter and Wolfe—13.

So the motion to take from the table prevailed.

The claim of John Stumph for grading and bowldering Circle street, in the city of Indianapolis, for \$3,995 72, heretofore reported,

Was read and referred to the Committee on Ways and Means.

The claim of August Richter, for grading and bowldering Tennessee street, and curbing the sidewalk in front of the property owned by the State of Indiana, in the city of Indianapolis, amounting to \$837 90, as heretofore reported by a committee, was referred to the Committee on Ways and Means, to be incorporated in the Specific Appropriation bill.

Which was agreed to.

Mr. Foulke moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on concurring in the report of the Committee on Claims.

Messrs. Montgomery and Baker demanded the ayes and noes.

Those who voted in the affirmative were

Messrs. Bischof, Blanch, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Griggs, Hamilton, Hays, Higgins, Hopkins, Hudson, Hungate, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peele, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, and Wright—59.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Bobo, Carter, Douglass, Green, Greer, Hartman, Honneus, Hostetter, Hughes, Inman, Kiser, McFadin, Montgomery, O'Neill, Ross, Shanks, Shields, Stackhouse, Tebbs, Van Valkenburgh, Vawter, and Wolfe—25.

So the motion to concur in the report of the Committee on Claims prevailed.

The claim of Michael Shea, for \$457.80, for grading and graveling St. Clair street and sidewalks, between Meridian and East streets.

Also, two claims of C. E. Whitset, one amounting to \$659.40, for paving sidewalks in front of lots 5 and 36, on Pennsylvania street, between North and the corporation line; the other amounting to \$743.15, for paving the west sidewalk on Tennessee, between Market and Washington streets.

Also, two claims of Messrs. Coulton & White, one amounting to \$129.20, for furnishing and erecting lamp posts, lamps and fixtures on Mississippi, between Washington and Ohio streets; the other amounting to \$92.55, for furnishing and erecting lamp posts, lamps and fixtures on Circle street, between East and West Market streets, north side—all in the city of Indianapolis.

Also, the claim of Messrs. Cowgill, Smock & Cowgill, amounting to \$2,027.44, for grading and graveling Meridian, between North and St. Clair streets, in Indianapolis.

Mr. Newcomb suggested that all the other claims above mentioned be considered as included in the above.

Which was consented to.

Mr. Hughes moved that the Governor be requested to return to the House, for certain corrections, House bill No. 99.

Which was agreed to.

Pending the special order on yesterday was the resolution offered by Mr. Shoaff.



Mr. Newcomb moved to postpone the further consideration of said resolution, and make it the special order for Monday morning next at 10 o'clock.

Which was agreed to.

Mr. Chambers moved to suspend the order of business to allow members to introduce bills and resolution.

Mr. Van Valkenburgh moved to lay the motion to suspend on the table.

Messrs. Chambers and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Brucker, Campbell, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hughes, Long of Kosciusko, McClasky, McFadin, McMurray, Miller, Newcomb, North, Peelle, Prather, Ratliff, Sabin, Shields, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Bobo, Carter, Chambers, Edmonson, Fuller, Greene, Hostetter, Hudson, Hungate, Inman, Kiser, Long of Jackson, Lopp, Moore, Morrison, Montgomery, O'Neil, Shoaff, Shull, Stackhouse, Tebbs, Vawter, and Wolfe—28.

So the motion to lay on the table prevailed.

The Speaker announced that he had signed House bill No. 278.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Senate bill No. 108. Entitled "an act to amend an act entitled an act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved June 17, 1852.

Senate bill No. 116. Entitled "an act to amend sections eighteen and twenty-five of an act entitled an act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana," approved January 15, 1852.

Senate bill No. 117, entitled "an act to amend sections first and tenth of an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries and repealing all laws inconsistent therewith, providing penalties therein prescribed."

Senate bill No. 120, entitled "an act to amend section sixty-three of an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Senate bill No. 213, entitled "a bill concerning the punishment of women and girls convicted of crimes and misdemeanors or violations of any city ordinances."

In which the concurrence of the House is respectfully requested.

Messrs. Crain and Martin obtained leave of absence until Monday next.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 333, an act to regulate the rate per mile to be charged by all railroad companies in the State of Indiana, for the transportation of passengers, and other matters properly connected therewith.

The same was taken up.

The question pending, was the amendment offered by Mr. Stafford.

By consent, Mr. Stafford withdrew his amendment.

Mr. Ross offered the following amendment to House bill No. 333.

Amend by striking out all after the enacting clause, and insert the following:

That it shall be unlawful for any railroad company organized or acting under the General Railroad Law, or any Charter in this State, to charge or receive more than four cents per mile for the transportation of any one passenger, when the distance traveled shall exceed ten miles, and not exceeding five cents per mile when the distance traveled is less than ten miles: *Provided however*, that no such company shall be compelled to carry any passenger from any one station to another, for a less sum than twenty-five cents.

Sec. 2. That all such railroad companies shall stop their accommodation and way mail passenger trains, at all the regular stations on such road, for the purpose of allowing passengers to get off or on said train, when requested by any passenger on said train, or when signalled to stop by any regular signal of said railroad company.

Sec. 3. All such companies shall adopt regular and suitable signals to be used in stopping passenger trains and keep the same in possession of some agents at each station, for the benefit of passengers.

Sec. 4. Any railroad company violating the provisions of this act, shall upon conviction thereof, forfeit and pay to the State of Indiana for the use of the Common School Fund, such sum as the Court may assess, not less than five nor more than five hundred dollars.

Mr. Chambers moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Ross

Messrs. Stafford and Prather demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Black, Bobo, Campbell, Carter, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Foulke, Funk Fuller, Geisendorff, Gordon, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McLean, McMurray, Morrison, North, O'Neil, Peelle, Ratliff, Ross, Sabin, Shields, Shook, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Stackhouse, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Wolflin, Woods and Mr. Speaker—56.

Those who voted in the negative were,

Messrs. Blanch, Chambers, Ferris, Greene, Greer, Griggs, Hartman, Houneus, Hughes, Long of Jackson, McCarthy, McFadin, Moore, Montgomery, Prather, Rosser, Spencer, Stafford, Tebbs, Van Valkenburg, Vawter, Watson and Wolfe—23.

So the amendment was agreed to.

Mr. Ross moved to lay the bill, as amended, on the table.

Messrs. Ross and Evans demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Blanch, Campbell, Daggy, Danaldson, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Griggs, Hays, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, O'Neal, North, Peelle, Ratliff, Ross, Rosser, Shoaff, Shull, Smith of Lagrange, Smith of Wabash, Stackhouse, Stafford, Stewart, Thrasher, Watson, Wilson, Wolfer and Wright—42.

Those who voted in the negative were,

Messrs. Baker, Belford, Bobo, Carter, Chambers, Crowe, Dunn, Edmonson, Ferris, Gordon, Greene, Greer, Hartman, Honneus, Hungate Long of Jackson, Lopp, McFadin, Moore, Morrison, Montgomery, Prather, Sabin, Shanks, Shields, Shook, Shuey, Skidmore, Spencer, Tebbs, Thomas, Vawter, Wason, Williams, Wolfe, Wolflin, Woods, and Mr. Speaker—37.

So the motion to lay on the table prevailed.

Mr. Montgomery moved to reconsider the vote, whereby House bill No. 99 passed the House.

Which was agreed to.

Mr. Stafford, by unanimous consent, moved to amend said bill as follows:

Any cemetery adjoining to or within the corporate limits of such town or city, upon the application of a majority of the citizens of such incorporated town or city, or on petition of the President and Trustees of such incorporated town, or the Mayor and Common Council of such city, to such County Board, notice of which application shall have been given by a publication in a newspaper of general circulation printed and published in such city or incorporated town.

Which was agreed to.

Mr. Scammahorn obtained leave of absence until Tuesday morning next.

House bill No. 99. A bill to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to cities and incorporated towns.

Was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Bischof, Black, Blanch, Bobo, Campbell, Chambers, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Fuller, Gordon, Greene, Greer Griggs, Hartman, Hays, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McFadin, McMurray, Moore, Morrison, Montgomery, O'Neil, Peelle, Prather, Ratliff, Ross, Sabin, Shanks Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thrasher, Thomas, Vawter, Wason, Wilson, Wolfe, Wolfer, Wolfin, Woods and Mr. Speaker—70.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McFadin moved, that when the House adjourns, it adjourn until Monday next at 2 o'clock.

Which was not agreed to.

On motion by Mr. Belford, the House adjourned.

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TWO O'CLOCK, P. M

The House met.

Mr. Spencer obtained leave of absence for this afternoon.

Mr. Newcomb moved to take up House bills Nos. 334, 335 and 341.

Which was agreed to.

House bill No. 334. A bill to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto.

Was read a second time, and ordered to be engrossed.

House bill No. 335. A bill to amend section two of an act entitled "an act to provide a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public

moneys of the State, and for the safe keeping of public moneys," which took effect August 6, 1867.

Was read a second time, and ordered to be engrossed.

House bill No. 341. A bill to provide for the assessment and collection of taxes, on the shares, of stock owned in banks and banking associations doing business in this State.

Was read a second time.

Mr. Newcomb moved to refer said bill to the Judiciary Committee, with instructions to inquire into the constitutionality of that part of the bill subjecting the stock of the bank of the State to municipal taxation.

Which was agreed to.

Mr. Funk introduced

House bill No. 343. A bill to amend sections 109, 110, 111 and 119 of an act entitled "an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Which was read a first time.

Mr. Shuey moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and that said bill be read a second and third time to-day.

The ayes and noes were taken as required by the Constitution.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Bischof, Black, Bobo, Campbell, Carter, Chambers, Corey, Crowe, Daggy, Danaldson, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore,



Morrison, Montgomery, Newcomb O'Neil, North, Peele, Prather, Ratliff, Ross, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thrasher, Vawter, Wason, Watson, Wolfe, Wolfer, Wolfin, Woods, Wright and Mr. Speaker—73.

No one voting in the negative.

So it was deemed expedient, and House bill No. 343 was read a second time by title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Bischoff, Black, Bobo, Campbell, Chambers, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greepe, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Montgomery, Newcomb, O'Neil, North, Peele, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thrasher, Vawter, Wason, Watson, Wilson, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—78.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to the bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.



Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled House act No. 278, which is herewith returned.

House bill No. 277. A bill to amend section one of an act entitled "an act to amend section 123 and 136 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 21, 1852, and to repeal sections 138, 139 and 140 of said act, approved June 3, 1861.

Which, having been previously read a third time, was taken up

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Bischof, Black, Campbell, Carter, Chambers, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Jackson, Lopp, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Ross, Sabin, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thrasher, Vawter, Wason, Watson, Wilson, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—77.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. O'Neil introduced

House bill No. 344. A bill to repeal an act entitled "an act to provide for the sale of certain lands belonging to the State of Indiana in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon," approved December 12, 1865, and for the relief of John P. Dunn, former Auditor of State.

Which was read a first time, and, on motion, referred to the Committee on Claims.

Mr. Miller moved to take up Senate message.

Which was agreed to.

Senate bill No. 93. A bill concerning interest on money, and to provide for the recoupment of usurious interest.

Was read a first time, and passed to a second reading.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of Senate bill No. 161.

Senate bill No. 161. An act to establish a House of Refuge, for the correction and reformation of juvenile offenders.

Mr. Miller moved to concur in the amendments reported by the Committee of the Whole.

Mr. Hughes moved to lay the motion to concur on the table.

Which was withdrawn.

The question being on the motion to concur, by Mr. Miller.

Mr. Higgins moved to lay the motion by Mr. Miller on the table.

Messrs. Hughes and Higgins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Campbell, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Foulke, Funk, Geisendorff, Greer, Hartman, Higgins, Hopkins, Long of Jackson, Long of Kosciusko, Mason, McCarthy, McFadin, McMurray, Newcomb, North, Peelle, Prather, Rosser, Sabin, Shuey, Skidmore, Smith of Lagrange, Stewart, Thrasher, Van Valkenburgh, Wason, Watson, Wolfe, Wolflin, Woods, Wright, and Mr. Speaker—42.

Those who voted in the negative were,

Messrs. Baker, Belford, Bird, Bobo, Carter, Crowe, Dunn, Ferris, Fuller, Gordon, Griggs, Hays, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Lopp, McClasky, Miller, Moore, Montgomery, O'Neil, Ratliff, Shanks, Shields, Shook, Shoaff, Shull, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Vawter, and Wolfer—37.

So the motion to lay on the table prevailed.

Mr. Shuey moved to amend as follows :

*Provided*, however, that if the General Assembly, at its present session, should fail to designate or appoint the county in which said House of Refuge is to be located, then the Commissioners who may be appointed under this act shall be empowered to make the location.

Mr. Montgomery moved to lay the amendment of Mr. Shuey on the table.

Mr. Wolfe moved to lay the whole subject on the table.

Messrs. Wolfe and Baker demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bird, Black, Bobo, Carter, Crowe, Douglass, Edmonson, Fuller, Hays, Honneus, Hostetter, Lopp, Shanks, Shields, Shook, Shull, Stackhouse, Van Valkenburgh, and Wolfe—19.

Those who voted in the negative were,

Messrs. Belford, Bischof, Blanch, Campbell, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shoaff, Shuey, Skidmore, Smith of Lagrange, Spencer, Stafford, Stewart, Tebbs, Thrasher, Vawter, Wason, Watson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—62.

So the motion to lay on the table did not prevail.

The question being on the motion to lay Mr. Shuey's amendment on the table.

Messrs. Baker and Montgomery demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Black, Bobo, Carter, Crowe, Douglass, Edmonson, Fuller, Greer, Griggs, Hays, Honneus, Hostetter, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, McFadin, Miller, Moore, Morrison, Montgomery, Ross, Shanks, Shields, Shull, Smith of Wabash, Stackhouse, Tebbs, Van Valkenburgh, Vawter, Watson, and Wolfe—38.

Those who voted in the negative were,

Messrs. Blanch, Brucker, Campbell, Daggy, Donaldson, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Hartman, Hamilton, Higgins, Hopkins, Hudson, Mason, McCarthy, Mc-

Clasky, McMurray, Newcomb, North, Peelle, Prather, Ratliff, Sabin, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Spencer, Stafford, Stewart, Thrasher, Wason, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—45.

So the motion to lay upon the table did not prevail.

Mr. Hughes moved to amend, as follows :

Strike out section three and insert the following :

“ The General Assembly, at its present session, shall, by ballot, in joint convention, select a site for said Institution.”

Mr. Higgins moved to lay the amendment to the third section, together with Mr. Shuey's amendment, on the table.

Messrs. Tebbs and Higgins demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Campbell, Danaldson, Douglass, Ervin, Evans, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Hamilton, Higgins, Hopkins, Long of Kosciusko, Mason, McCarthy, McClasky, McMurray, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Sabin, Shoaff, Shuey, Skidmore, Smith of Lagrange, Stafford, Stewart, Thrasher, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—43.

Those who voted in the negative were,

Messrs. Baker, Belford, Bird, Black, Bobo, Brucker, Carter, Crowe, Dunn, Edmonson, Ferris, Fuller, Griggs, Hays, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Lopp, McFadin, Miller, Moore, Montgomery, Ross, Rosser, Shanks, Shields, Shook, Shull, Smith of Wabash, Spencer, Stackhouse, Tebbs, Van Valkenburgh, Vawter, and Mr. Wolfe—40.

So the motion to lay on the table prevailed.

Mr. Hughes moved to indefinitely postpone the whole subject.

Messrs. Hamilton and Baker demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Bird, Black, Bobo, Carter, Crowe, Douglass, Edmonson, Fuller, Greene, Greer, Griggs, Hays, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Long of Jackson, Lopp, Morrison, Montgomery, Shields, Shook, Shoaff, Shull, Stackhouse, Tebbs, Van Valkenburgh, Vawter, and Wolfe—32.

Those who voted in the negative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Hartman, Hamilton, Higgins, Hopkins, Kiser, Long of Kosciusko, Mason, McCarthy, McClasky, McFadin, McMurray, Moore, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thrasher, Wason, Watson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—50.

So the motion to indefinitely postpone did not prevail.

Mr. Higgins moved that the report of the committee be concurred in.

Which was agreed to.

Mr. Miller offered the following amendment :

Strike out of the amendment to the twenty-fifth section, the words "eight hundred," and insert in lieu thereof "five hundred."

Mr. Woods offered the following amendment :

Add, at the end of section nineteen, "after a hearing and judgment of return, by a Justice of the Peace, in the county where the arrest shall be made."

Mr. Newcomb offered the following amendment:

Strike out of section three these words: "The said Commissioners are hereby empowered by and with the approval of," and add, after the word "Governor," in the second line, the words "is hereby composed." Further amend by striking out the words "they" and "their," in line six, and inserting "he" and "his," in the place thereof.

Mr. Belford moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the amendment offered by Mr. Newcomb,  
Messrs. Baker and Thomas demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Blanch, Bobo, Brucker, Carter, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ferris, Funk, Gordon, Greer, Griggs, Hartman, Hamilton, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Kosciusko, Lopp, Mason, McFadin, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Shook, Shuey, Smith of Wabash, Stackhouse, Thrasher, Van Valkenburgh, Vawter, Watson and White—49.

Those who voted in the negative were,

Messrs. Campbell, Ervin, Evans, Foulke, Geisendorff, Greene, Higgins, Hopkins, McCarthy, McClasky, McMurray, Sabin, Shields, Shull, Skidmore, Smith of Lagrange, Spencer, Stewart, Tebbs, Wolfe, Wolflin, Woods, Wright and Mr. Speaker—24.

So the motion to amend prevailed, and the amendment offered by Mr. Newcomb was adopted.

*Ordered,* That the amendments be engrossed, and the bill passed to a third reading.



Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills thereof, to-wit:

Senate bill No. 140, entitled "an act authorizing insurance companies to re-insure their risks, and close up their business."

Senate bill No. 131, entitled "an act to amend section 784 of an act entitled an act to revise, simplify and abridge the rules, practices, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Senate bill No. 129, "entitled an act to amend an act entitled an act to revise, simplify and abridge the rules, practices, pleadings and forms in civil cases in the courts of this State, and to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Senate bill No. 235, entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessor, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State."

In which the concurrence of the House is respectfully requested.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the action of the House, on House bill No. 99, and herewith returns the same.

Mr. Vawter, by consent, offered the following resolution:

*Resolved*, That the Judiciary Committee be requested to return



Senate bill No. 2, to the House on Monday next at 2½ o'clock, and that the same be made the special order for that hour.

Which was adopted.

Mr. Greene moved that when the House adjourns it adjourn until Monday next at 2 o'clock, P. M.

Which was not agreed to.

## ORDERS FOR THE DAY.

House bill No. 77, with amendments from the Senate, was taken up. The amendments thereto were read, and,

On motion by Mr. Miller, said amendments were concurred in.

House bill No. 8, with amendments from the Senate, was taken up.

On motion by Mr. Woods, the amendments were concurred in.

Senate bill No. 174. A bill for the relief of Peter Wells and Benoni Wells.

Was read a first time, and passed to a second reading.

Senate bill No. 218. A bill directing the State and county officers to receive certain certificates in payment, as money.

Was read a first time, and passed to a second reading.

Senate bill No. 46. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof.

Was read a first time, and referred to the Committee on Temperance.

Senate bill No. 97. An act designating certain holidays, and in relation to negotiable paper falling due thereon.

Was read a first time, and passed to a second reading.

Senate bill No. 227. A bill to consolidate certain bonds, stocks and accounts of the School Fund into one non-negotiable bond, and making other provisions in relation thereto.

Was read a first time, and passed to a second reading.

Senate bill 181. A bill to amend section twenty-seven of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Was read a first time.

Mr. Miller moved that said bill be referred to the Committee on the Judiciary.

Which was agreed to.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred Enrolled bill No. 278, have carefully compared it with the engrossed bill thereof, find the same correct, and direct me to report accordingly.

Senate bill No. 203. A bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent herewith.

Was read a first time, and passed to a second reading.

Senate bill No. 223. A bill to amend the first section of an act entitled "an act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of the town of Evansville in the county of Vanderburg, a city charter," approved December 2, 1865, so as to authorize the Common Council of said city of Evansville to subscribe for, and take stock in the Evansville, Henderson and Nashville Railroad Company or any other com-

pany, or corporation organized under and by virtue of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville in the State of Tennessee to a point on the Ohio river, at or near Evansville, Indiana.

Was read a first time, and passed to a second reading.

Senate bill No. 165. A bill to amend an entitled "an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto," approved December 21, 1858.

Was read a first time, and referred to the Committee on Ways and Means.

Senate bill No. 14. A bill to establish a Board of Immigration for the purpose of encouraging immigration to the State of Indiana from the Eastern States of the United States and from Europe.

Was read a first time.

Senate bill No. 20. A bill to amend an act entitled "an act prohibiting Supreme, Circuit or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their Deputies, from practicing law in any of the Courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof," approved March 6, 1865.

Was read a first time, and referred to the Committee on the Judiciary.

Mr. Gordon obtained leave of absence until Monday next at 2 o'clock p. m.

Senate bill No. 201. A bill authorizing the sale of a tract of land in the city of Evansville, the title whereof is vested in the State of Indiana, and providing for a conveyance from the State to the purchaser thereof.

Was read a first time, and referred to the Committee on Ways and Means.

Senate bill No. 94. A bill to provide for the protection of fur bearing animals.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No 105. A bill to amend section five of an act entitled "an act providing for the organization of Circuit Courts, the election of Judges thereof and defining their powers and duties," approved June 1, 1852, and providing for Criminal and Civil Circuit Courts, approved December 20, 1865.

Was read a first time, and passed to a second reading.

Senate bill No. 108. A bill to amend an act entitled "an act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved June 17, 1852.

Was read a first time, and referred to the Judiciary Committee.

Senate bill No. 116. A bill to amend sections eighteen and twenty-five of an act entitled "an act for the government of the Indiana Hospital for the Insane," approved January 15, 1852.

Was read a first time, and passed to a second reading.

Senate bill No. 114. A bill to amend an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental section thereto.

Which was read a first time, and referred to the Committee on Education.

Senate bill No. 117. A bill to amend sections first and tenth of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Was read a first time, and referred to the Committee on Education.

Senate bill No. 120. A bill to amend section sixty-three of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 129. A bill to amend an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 131. A bill to amend section 784 of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity.

Was read a first time, and passed to a second reading.

Senate bill No. 140. A bill authorizing insurance companies to re-insure their risks, and close up their business.

Was read a first time, and passed to a second reading.

Senate bill No. 213. A bill concerning the punishment of women and girls convicted of crime, misdemeanors, or violation of any city ordinance.

Was read a first time, and referred to the Committee on Rights and Privileges.

Senate bill No. 235. A bill supplemental to an act entitled "an act to provide for the valuation and assessment of real property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers, and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852."

Was read a first time, and referred to the Committee on Ways and Means.

Senate joint resolution No. 23. A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law authorizing the State of Indiana to turn over the agricultural college endowment fund to the credit of the common school fund of said State.

On motion by Mr. Lopp, was taken up and read a first time, and passed to a second reading.

#### SENATE BILLS ON SECOND READING.

Senate bill No. 111. A bill authorizing Township Trustees, Trustees of incorporated towns, and the Common Councils of cities, to levy a tax for school purposes.

Was read a second time, and passed to a third reading.

Senate bill No. 47. A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments, or machine shops.

Was read a second time, and passed to a third reading.

Senate bill No. 191. A bill supplemental to an act entitled "an act for the incorporation of manufacturing and mining companies, for mechanical, chemical, and building purposes," approved May 20 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867.

Was read a second time, and passed to a third reading.

On motion by Mr. McFadin, the House adjourned.

MONDAY MORNING, 9 o'clock, }  
 March 4, 1867. }

The House met.

On motion by Mr. Greene, the reading of the Journal of Saturday was dispensed with.

PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Newcomb,

A memorial and claim of James Morrison, of Indianapolis.

Which was referred to the Committee on the Judiciary, without reading.

By Mr. Black,

A petition by sundry citizens of Madison County, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Shull,

The claim of John McManaman for \$12, for six days attendance as a witness before the Committee on Arbitrary Arrests, during the session of the Legislature of 1863.

Which was referred to the committee on claims, without reading.

Mr. Prather, by consent, offered the following instructions to the Committee on Education, concerning Senate bill No. 114:

1. Amend by striking out the one hundred and fifty-eighth section.
2. Strike out the sixteenth section of the supplemental part of the bill.
3. Strike out the seventeenth section of the supplement.



4. Strike out the eighteenth section of the supplement.
5. Strike out the nineteenth section of the supplement.
6. Strike out in the seventh line of the twenty-second section of the supplement, after the word "the" to the word "whose" in the eighth line of said section, and insert these words, "County School Examiner."

#### REPORTS FROM STANDING COMMITTEES.

Mr. McFadin, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

Senate bill No. 96, which was referred to the Committee on the Judiciary, has been under the consideration of said committee, and I am directed to report said bill to the House with the recommendation that it be indefinitely postponed.

Which was concurred in, and said Senate bill No. 96, was indefinitely postponed.

Mr. Baker, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 326, a bill to amend section two, three and four of an act entitled "an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declairing void the contracts of persons of unsound mind, and providing for their restraint, when necessary," approved May 29, 1852, have had the same under consideration, and direct me to report the same back to the House, recommending its indefinite postponement.

Mr. Baker, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee to whom was referred Senate bill No.



175, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

Mr. Woods, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 41, entitled "an act to authorize incorporated towns and townships to subscribe for, purchase and hold stocks, and make donations to turnpike, plank road, railroad, railway and slack water navigation companies, etc., have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with three amendments, and, when so amended, recommend its passage;

Amend by striking out of the eighth and ninth lines, the words "running into or through such town or township."

Also, by striking out of lines 20, 21 and 22, the words "from the point of commencement to such point or points as are" and insert in lieu thereof the following words, "between such as shall have been."

Also, by inserting after the word "donation," in line 37, the words "or subscription."

Which was laid on the table.

Mr. Woods, from the Judiciary Committee, made the following majority report:

MR. SPEAKER:

The Judiciary Committee to whom was referred House bill No. 173, entitled "an act supplemental to an act concerning real property, and the alienation thereof, and to enable venders of real property to remove and secure themselves against incumbrances thereon," have had the same under consideration, and a majority of the committee have authorized me to report the same back to the House with one amendment, and, when so amended, recommend its passage.

Amend the second section by striking out all after the word "may" in the seventeenth line, and insert the following: "Pay off such incumbrances and recoup the sum so paid from any unpaid purchase money, or have a set-off of the same against any other claim of such immediate or remote grantors, or recover the amount so paid and interest thereon in an action against such grantor liable to pay the same."

Which was laid on the table.

Mr. Daggy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 125, have had the same under consideration, and suggest two amendments, and, when so amended, recommend its passage.

1st. Amend section first by striking out, in line five, the word "organized."

2d. Amend by striking out "either in whole or in part," where ever they occur, and insert "whose lines are wholly."

Which was laid on the table.

Mr. Griggs, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 317, have had the same under consideration, and have directed me to report the same back, with a recommendation that it be indefinitely postponed.

Which was concurred in.

Mr. Peelle, from the Committee on the Organization of Courts, made the following report:

MR. SPEAKER:

The Committee on the Organization of Courts, to whom was referred House bill No. 338, have had the same under consideration,

and direct me to report the same back to the House with certain amendments, with which, when adopted, they recommend its passage.

Amend as follows :

Line 175. Strike out the word "August," and insert, in lieu thereof, the words "fourth Monday of July."

Lines 190 and 191. Strike out all after the word "the," and insert "on the third Mondays of April and October."

Line 224. Strike all out, and insert "April, and the first Monday in October."

Line 228. Strike all out, and insert "March and September."

Line 263. Strike out "third," and insert "fourth." .

Also amend by inserting, at the end of section one, the following :

"In the county of White on the first Mondays of March and September."

"In the county of Benton on the third Mondays of March and September."

"In the county of Newton on the first Mondays of April and October."

"In the county of Jasper on the second Mondays of April and October."

"In the county of Pulaski on the fourth Mondays of April and October."

"In the county of Fulton on the first Mondays of May and November; and may continue, in each of said counties of Benton, White, Jasper, and Fulton two weeks at each term thereof, and in each of the counties of Newton and Pulaski one week at each term thereof."

Which was laid on the table.

Mr. Geisendorff moved to take up House bill No. 301—a bill granting two acres of land to the town of Rome for educational purposes.

Which was agreed to.

House bill No. 301 was then read a second time, ordered to be engrossed, and passed to a third reading.

Mr. Daggy, from the Committee on Temperance, made the following report:

MR. SPEAKER:

The Committee on Temperance, to whom was referred Senate bill No. 46, have had the same under consideration, and direct me to report it back to the House with amendments, and, when so amended, recommend its passage.

Strike out all after the enacting clause, and insert the following:

That no person may sell, barter, or give away any spirituous or other intoxicating liquors, by a less quantity than one gallon at a time, without having first procured license therefor as hereinafter provided. Any person desiring to procure such license shall present his petition to the Board of Commissioners of such county, signed by a majority of the citizen householders of the town, township or ward of the city wherein he proposes to sell, barter, or give away the same, designating and describing specifically the place in such petition; and thereupon such Board, being satisfied of the genuineness of the signatures to such petition, and that the names signed to such petition are such majority, and that such petitioner is a suitable person to be entrusted with license, shall direct the Auditor of such county to issue license to such petitioner, for one year from the time of granting the same: *Provided*, That the provisions of this section shall not authorize the selling, bartering, or giving away of any spirituous, or other intoxicating liquors on the first day of the week, commonly called Sunday, or on the day of any general or special elections for State, county, township or municipal officers, or to any person under the age of twenty-one years, without the written consent of his parent or guardian. Any person violating any of this section shall be fined, for the first

offense, twenty-five dollars, and for the second or any subsequent offense, he shall forfeit his license.

SEC. 2. That any place where spirituous or intoxicating liquors are sold or bartered except as provided in section 1 of the act, to be drank in or about such place, or if any place where intoxicating liquors are sold or bartered shall be kept in a disorderly manner, is hereby declared a public nuisance; and any person who shall erect, maintain or keep any such nuisance, upon conviction thereof, shall be fined in any sum not less than fifty dollars nor more than five hundred dollars, and the court trying such cause shall order such nuisance abated.

SEC. 3. Any person who shall adulterate any wine, spirits or other intoxicating liquor which are intended for sale, by the admixture of any deliterious or other substance or fluid therewith, or any person who shall sell or offer for sale any wine, spirits or other intoxicating liquor which shall have been so adulterated as aforesaid, shall, on conviction thereof, be fined in any sum not less than fifty dollars, nor more than five hundred dollars.

SEC. 4. Any person procuring license as provided in the first section of this act, and before the same shall be delivered to him, shall file a bond with two freehold sureties in the penal sum of fifteen hundred dollars with the Auditor of the county, to be approved by such Auditor, conditioned that he will keep an orderly house, pay all fines and costs assessed or adjudged against him, and that he will observe and keep the laws of the State of Indiana.

SEC. 5. Any person procuring license as provided in this act shall be known and denominated a licensed retailer.

SEC. 6. No place in which pure wine is manufactured in this State, nor any person selling the same in which pure lager beer, small beer, ale or cider is manufactured in this State, nor the person selling the same shall be held liable for any of the penalties declared in this act against licensed retailers, provided that any person desiring to sell, barter or give away such pure wine, lager beer, small beer, ale or cider, shall make his application to the County Board in writing, designating the particular place wherein he desires to carry on such business, and upon such Board being satisfied that applicant is a person of good character, and suitable

to be trusted with such license, shall direct that the Auditor of the county shall issue to such applicant a license for one year from the issuance of the same, upon said applicant producing the voucher of the Treasurer of such county that such applicant has put into the Treasury of said county the sum of thirty dollars.

SEC. 7. That any person who shall become intoxicated, and shall, in any public place, indulge in any loud, boisterous or obscene language, or do annoyance to any citizen of this State, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum of not more than ten dollars, and imprisonment in the county jail may be added for any period not exceeding thirty days.

SEC. 8. Every person who shall directly or indirectly sell, barter or give away any intoxicating liquors to any person who is in the habit of getting intoxicated, after notice shall have been given him by the wife, child, parent, brother or sister of such person, or by the Township Trustee of the township in which he resides, that such person is in the habit of getting intoxicated, shall, upon conviction thereof, be fined not less than ten, nor more than fifty dollars, and in case such offender is a licensed retailer, he shall forfeit his license.

SEC. 9. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed, but all suits, indictments, informations, or other proceedings now pending, are hereby reserved and retained from the effects of such repeal.

Which was laid on the table.

Mr. Stackhouse moved to take up House bill No. 279.

Which was agreed to.

House bill No. 279 was read a second time, ordered to be engrossed, and passed to a third reading.

Mr. Campbell introduced

House bill No. 345. A bill fixing the time of holding Courts of Common Pleas in the Twelfth Judicial District.

Mr. Greene offered the following resolution :

*Resolved*, That the clerks of all committees, except the Committee on Ways and Means, the Judiciary Committee, and the Committee on Public Expenditures, be hereby discharged from further service.

Mr. Litson moved to lay the resolution on the table.

Which was agreed to.

Mr. McFadin introduced

House bill No. 346. A bill extending the time for holding the Common Pleas Court in the county of Cass, and repealing all laws inconsistent herewith.

Which was read a first time, and passed to a second reading.

#### HOUSE BILLS ON SECOND READING.

House bill No. 245 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 267. A bill to authorize the Clerks of Circuit Courts to procure, and furnish to Justices of the Peace, blank books, to be used by them as dockets,

Was read a second time.

Mr. Shuey moved to lay said bill on the table.

Which was agreed to.

House bill No. 269 was read a second time, ordered to be engrossed, and passed to a third reading.

The Speaker announced that he had signed House bills Nos. 8, 99, and 77.

House bill No. 261 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 288 was read a second time, ordered to be engrossed, and passed to a third reading.



Mr. Morrison offered the following resolution :

WHEREAS, Heretofore railroad companies, in constructing the beds of their respective roads, have, in many instances, made them across sloughs, without making culverts for the water to pass in its natural course, thereby damming the water and overflowing and flooding the country, making it sickly and unfit for cultivation, and of little or no value, for any purpose, to the owner thereof; and,

WHEREAS, Many of said persons are desirous of reclaiming their said lands by draining, to do which they will have to have a culvert under said railroad beds; and,

WHEREAS, They are in doubt as to whether they have a remedy under the common law, or under the following statutes, to-wit: 1st vol. Gavin & Hord, page 303, and in the supplement thereto, pages 148 and 191; therefore, be it

*Resolved*, That the Judiciary Committee be hereby requested to examine said matters, and to report the result of their investigations at as early a day as is convenient.

Which was referred to the Judiciary Committee.

Mr. Foulke offered the following resolution :

WHEREAS, The claim of J. P. Lancaster, for services as one of the clerks of this House, was referred to the Committee on Employés; and,

WHEREAS, Said committee has failed to make any report thereon; therefore,

*Resolved*, That said committee be instructed to return the claim to this House for its action,

Which was agreed to.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred



enrolled House bills Nos. 8, 77, and 99, have carefully compared them with the engrossed copies thereof, and have directed me to report that they find the same correctly enrolled.

Mr. Shoaff offered the following resolution :

*Resolved*, That the Judiciary Committee be, and hereby is instructed to report House bill No. 76, reducing the penalty on the sale of lands for taxes.

Which was agreed to.

Mr. Dunn, by consent, introduced

House bill No. 347. A bill to prevent the spreading of any contagious or infectious disease among cattle.

Which was read a first time, and referred to the Committee on the Judiciary.

House bill No. 304. A bill to amend section three of an act for the regulation of weights and measures, approved June 9, 1852.

Was read a second time.

Mr. McLean moved to amend by inserting the words "sixty pounds" after the word potatoes.

Which was agreed to.

The bill was then ordered to be engrossed and passed to a third reading.

House bill No. 184. A bill to regulate the carriage of passenger baggage by railroad companies, etc.

Was read a second time and, on motion, laid on the table.

House bill No. 157. A bill to amend sections one, ten and fourteen of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith; prescribing the fees for certain officers therein named; for the establishment and regulation of township libraries, and to repeal all laws incon-

sistent therewith, and providing penalties therein prescribed," approved March 6, 1865.

Was read a second time.

Mr. Wilson offered the following amendment:

SEC. 4. That in neighborhoods where there are fifteen colored children within attending distance and within school ages, the trustee or trustees shall provide for their tuition by organizing colored schools: *Provided*, that when no tax payer or patron of any common school shall object, said colored children shall have equal privileges in the common schools, such trustee shall not be required to organize such school.

Mr. Shuey moved the previous question.

Which was not seconded by the House.

Mr. Wolfe offered the following amendment:

Amend by striking out the words "married persons," wherever they occur.

Mr. Belford moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Wilson.

Messrs. Hungate and Fuller demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer Griggs, Hartman, Higgins, Hudson, Mason, McCarthy, McMurray, Miller, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shuey, Smith of Lagrange, Spencer, Stafford, Stewart, Thrasher, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—43.

Those who voted in the negative were,

Messrs. Baker, Black, Bobo, Carter, Crain, Crowe, Douglass, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hughes, Hungate, Inman, Kiser, Long of Kosciusko, Lopp, McFadin, Morrison, Shanks, Shields, Shook, Shull, Skidmore, Smith of Wabash, Stackhouse, Tebbs, Van Valkenburgh, and Wolfe—31.

So the motion to amend prevailed.

The question being on the amendment offered by Mr. Wolfe.

It was agreed to.

The question being, shall the bill as amended be engrossed?

It was so ordered.

House bill No. 206. A bill authorizing Township Trustees, Trustees of incorporated towns and the Common Council of cities to levy a tax for school purposes.

Was read a second time, and referred to the Committee on the Judiciary.

House bill No. 210 was read a second time, ordered to be engrossed and passed to a third reading.

House bill No. 213. A bill to amend sections one and four of the common school law, approved March 6, 1865.

Was read a second time, and, on motion, laid on the table.

House bill No. 274 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 280 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 252 was read a second time.

Mr. Miller moved that said bill be laid on the table.

Which was agreed to.

House bill No. 295 was read a second time, and, on motion, was laid on the table.

House Joint Resolution No. 17 was read a second time.

Mr. McCarthy moved that said joint resolution be laid on the table.

Which was agreed to.

House bill No. 218 was read a second time, and ordered to be engrossed.

House bill No. 197. A bill to amend section five of an act concerning a general system of common schools, approved March 6, 1865.

Was read a second time, and, on motion, laid on the table.

House bill No. 264. A bill to legalize the sale of seminary lands, in Jasper county, to Marion L. Spitler and Margaret Stackhouse.

Was read a second time.

Mr. Hughes offered the following amendment:

Amend by inserting, at the end of the section next preceding the emergency clause, the following words:

Provided nothing in this act contained shall affect or impair any valid and subsisting rights, interest, or claim of any private persons in and to said lands, nor deprive the Courts of the State of jurisdiction in relation thereto.

Which was agreed to, and the bill was ordered to be engrossed.

House bill No. 156. A bill to prevent certain persons from voting or holding any office in the State of Indiana.

Was read a second time, together with the amendments herefore reported by the minority of said Committee.

The question being on the amendment reported by the minority,

Mr. Belford moved that the whole subject be laid the table.

Which was agreed to.

House bill No. 195 was taken up, and, on motion, laid on the table.

Mr. Greer moved to reconsider the vote just taken on laying House joint resolution No. 17 on the table.

Mr. Woods moved that the motion to reconsider be laid on the table.

Which was agreed to.

House bill No. 289 was read a second time, and, on motion, laid on the table.

House bill No. 319. A bill authorizing the appropriation of money out of the State Treasury, for the use of the State University, located at Bloomington, Monroe county.

Was read a second time.

Mr. Prather moved to amend by inserting eight thousand instead of five thousand.

Which was not agreed to.

Mr. Baker moved to reconsider the vote just taken.

Which was agreed to.

The question being on the amendment offered by Mr. Prather,  
The same was agreed to.

House bill No. 319 was ordered to be engrossed, and passed to a third reading.

House bill No. 116 was read a second time, and, on motion, laid on the table.

House joint resolution No. 20. A joint resolution to give prisoners of war extra pay while prisoners of war.

Was read a second time.

Mr. Greer offered the following amendment :

Amend by inserting, in the proper place, the following :

“ And that the Governor be requested to transmit a copy of this resolution to our Senators and Representatives in Congress.”

Which was agreed to.

Said joint resolution was then ordered to be engrossed, and passed to a third reading.

House bill No. 241 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 253 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 312 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 313 was read a second time.

Mr. Miller moved to indefinitely postpone said bill.

Which was not agreed to.

Said bill was then ordered to be engrossed, and passed to a third reading.

Mr. Woods, by consent, offered the following resolution :

*Resolved*, That the State Librarian be instructed to purchase one copy of Wilson's Digest of Parliamentary Law, for the use of the Speaker of the House, one copy for each member of the House, and one copy for each elective officer of the House.

Mr. Hungate offered the following amendment :

Provided the same will cost no more than one dollar.

Which was passed over informally.

On motion by Mr. Ross, the House adjourned.

TWO O'CLOCK, P. M.

The House met.

#### HOUSE BILLS ON SECOND READING.

House bill No. 320 was read a second time, ordered to be engrossed, and passed to a third reading.

House bill No. 324. A bill to regulate the mileage of Sheriffs in conveying convicts to the State Prison, and repealing all laws in conflict herewith.

Was read a second time.

Mr. Higgins offered the following amendment :

Amend by adding the following section :

Sec. —. That in case the present General Assembly pass an act attaching Marion county to the Northern State Prison District, then the Sheriff of said Marion county shall be entitled to mileage for one hundred and fifty-five miles.

Which was agreed to.

Mr. Higgins offered the following amendment :

Orange county mileage. Strike out "45," and insert "65."

Which was agreed to.

Mr. Ross offered the following amendment:

Miami county's mileage increased from 95 to 115 miles.

Which was agreed to.

Mr. Ross offered the following amendment:

Amend by striking out "95," for Miami county, and insert "115."

Which was agreed to.

The bill, as amended, was ordered to be engrossed.

House bill No. 327. A bill to promote the security of persons and property passing over railroads within this State, by compelling railroad companies to securely fence their roads, to erect signal boards, and prescribing penalties for the violation of this act.

Was read a second time.

Mr. Ross moved to add as an amendment, "that railroads shall be covered."

Which was agreed to.

Mr. Woods moved to lay the whole subject on the table.

Messrs. Houneus and McFadin demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Blanch, Campbell, Chambers, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Fuller, Greene, Greer, Griggs, Hays, Hopkins, Hostetter, Hudson, Inman, Litson, Long of Kosciusko, McClasky, McLean, North, Peelle, Ross, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Stackhouse, Tebbs, Thrasher, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, and Mr. Speaker—46.

Those who voted in the negative were,

Messrs. Corey, Crain, Foulke, Funk, Hamilton, Higgins, Honneus, Kiser, McFadin, Miller, Moore, Morrison, Montgomery, Pra-



ther, Ratliff, Rosser, Sabin, Shanks, Shields, Shook, Smith of Wabash, Spencer, Stewart, Thacher, Thomas, Van Valkenburgh, Vawter, and Wolfe—28.

So the motion to lay on the table prevailed.

House bill No. 172 was read a second time, ordered to be engrossed, and passed to a third reading.

The Committee on Education obtained leave of absence this afternoon.

House bill No. 174. A bill to encourage the re-publication of Blackford's reports, and appropriating money to pay for the same.

Was read a second time.

The amendments heretofore reported were agreed to.

The bill, as amended, was ordered to be engrossed, and passed to a third reading.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled House acts Nos. 8, 77 and 99, and herewith returns the same.

House bill No. 246 was read a second time, ordered to be engrossed, and passed to a third reading.

The question being on ordering the bill to be engrossed.

Mr. Van Valkenburgh moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on ordering the bill to be engrossed.

It was not agreed to.

Message from the Governor, by Mr. Commons, his private Secretary.

MR. SPEAKER :

In pursuance of a resolution of your honorable body, I herewith return enrolled act No. 278, to the end that the bill may be corrected.

Mr. Montgomery offered the following resolution :

*Resolved*, That His Excellency, Governor Baker, be requested to return to this body House bill No. 278, in order that the title to the same may be amended so as to conform to the provisions of the act.

Which was agreed to.

Mr. Miller returned Senate bill No. 2, in obedience to an order of the House on Saturday last.

Mr. Miller offered the following amendment :

Strike out all after the enacting clause and insert the following :

Sec. 1. That it shall be the duty of the Board of County Commissioners, in each county of this State, at their June session, in the year 1867, and thereafter whenever required, for the convenience of voters, to divide their respective counties into voting precincts, and number the same for county and township elections; defining the boundaries of each precinct so that they may be easily known; fixing and designating one place, and no more, for voting in each precinct, which voting precinct shall conform to the civil township, except when the convenience and number of inhabitants in any township to be divided into two or more voting precincts, in which case, the precinct shall be given.

Sec. 2. It shall be the duty of each incorporate city in this State, in like manner, as soon as practicable, after the passage of this act, to divide their cities into voting precincts, conforming as nearly as possible to the wards of such cities.

Sec. 3. The Board of Commissioners of each county, and the Common Councils of each city, as soon as they have complied

with the requirements of the first and second sections of this act, shall appoint a Board of Registers for each precinct, representing as nearly as practicable, the different political parties therein existing, a majority of whom shall constitute a quorum.

Sec. 4. Such Registers, before entering on their duties, shall each take an oath to faithfully and honestly discharge their duties as such Registers, according to law, and they may swear each other in the same manner as is now provided in case of Board of Elections, and in like manner fill all vacancies in case any member fails to attend.

Sec. 5. Each Board of Registers shall meet at the place designated in its voting precinct, on the 1st Monday in August, in each year after the passage of this act, and in case any of the Board shall fail to appear and enter upon the discharge of his duties, the voters may select the Board as is now provided for selection of a Board of Electors, which shall proceed to make a complete register of the voters of such precinct, arranging the list in alphabetical order, designating in a column opposite, each name, the place of residence of each voter, so that it can be easily ascertained therefrom. Said Board shall not register the name of any voter, unless some one of said Board will swear that such voter is a *bona fide* resident of and is then entitled to vote in said precinct; or, unless upon the sworn statement to like effect of said voter, or some other voter in said precinct. Said board shall continue in session from day to day, not to exceed three days, until said list shall be completed, beginning their session at 8 o'clock, A. M., and closing at six o'clock, P. M.

Sec. 6. The list of voters, alphabetically arranged by said Board, shall, as soon as completed, be published in a weekly newspaper, published in the county, if there be one, and by posting the same up at the place of voting in the precinct. The posting or publication shall be at least sixty days before each general election.

Sec. 7. Each Board of Registers shall meet at the voting place of its precinct, three weeks after the publication or posting of said list, for the purpose of correcting the same, by adding any name omitted that should have been registered, or striking off any name

wrongfully registered, or the name of any one not then a voter in such precinct; vacancies to be filled as in the first instance.

Sec. 8. Any voter who may apply to be registered and shall be refused by such Board, shall have the right to an appeal to the Circuit or Common Pleas Court of the county, and any other voter of the precinct shall have a like appeal, whenever the Board registers any one whom he may claim is not a voter of said precinct. In case of an appeal from a refusal to register as aforesaid, the style of the case shall be in the name of the person appealing against said Board. In case of an appeal from an improper registry, as aforesaid, the style of the case shall be in the name of the voter appealing against the voter registered. The costs in each case shall be determined as in other cases, except when the appeal is against the Board, and is determined in favor of the appellant, then the costs shall be paid by the county.

Sec. 9. After the first list of voters, taken under this act, shall have been completed, the lists thereafter, shall each year be made up from the old lists, on the first Monday of August, by striking from said lists the names of such persons as have died or moved out of said precinct, and adding the names of such as have moved into said precinct, or have not been registered; but no name shall be stricken from said lists or added thereto, except on such evidence as is required to register the names in the first instance.

Sec. 16. When the list of registered voters is completed, the members of said Board shall attach their affidavit thereto, that the same contains a full and complete register of all the voters of said presinct, so far as they have legal knowledge; that they have left off the name of no one who, in their knowledge or opinion, upon the evidence hereinbefore required, should have been registered, and that they have not registered any name on said registry without the knowledge on their part, or the evidence heard by them as required by this act, and make four copies thereof, one to be posted at the place of voting in said presinct, one to be kept in possession by the President of said Board, to be selected by said Board, and one to be deposited with the Township Trustee, and one with the County Clerk, all of which shall be at all times open for the inspection of any voter free of charge.

Sec. 11. After the completion of said registry of voters, the same may be published again in a weekly newspaper of said county, at a cost of not more than two cents for each name, to be paid by the county, and in case of the publication of the entire list of each county, the same shall be posted up at the voting place of each presinet, at least thirty days before any general election.

Sec. 12. The list of registered voters kept by the Township Trustee, shall be delivered to the inspector or a judge of the Board of Elections of the precinct before or as soon as such Board of Elections is organized, and such board of elections shall not receive any ballot from any voter unless his name is duly registered on said list, except as hereinafter provided; and said Board of Elections, before depositing any ballot in the box, shall examine the registry list, and if the name of the voter shall appear thereon they shall check the same with an appropriate mark, and, if the vote is not challenged, shall enter the name on the poll list, and deposit the ballott in the box.

Sec. 13. Any voter duly registered shall be entitled to vote, unless he shall be challenged, but the board may examine such witnesses as they may deem proper to determine the fact, and receive or reject the vote as the facts may warrant.

Sec. 14. Any one claiming the right to vote, who has not been registered, may be allowed to vote by presenting to the Board of Elections his own, and the affidavits of two registered voters of said precinct that such voter is a *bona fide* resident of said precinct, and entitled to vote at said election, specifically designating the place of his residence, and also his own affidavit, or that of some other competent witness, showing that he has all the other qualifications of a voter at that election, which affidavit shall be filed with the Board, and his name registered and vote received, subject to the same rule governing registered voters; said affidavit shall be returned with the poll list, and filed in the office of the Clerk of the Circuit Court of the county.

Sec. 15. The list of registered voters shall be left open to the inspection of the public, and any voter of the precinct shall have the right and privilege to examine the same, and the registry shall be kept by the President of the Board of Registry until the day of

election, and then delivered to the Inspector of Elections of the precinct.

Sec. 17. Any person, making oath under any of the provisions of this act, who shall swear falsely, shall be deemed guilty of perjury, and, on conviction, shall be imprisoned in the State Prison for not less than three years, nor more than ten years, and fined in any sum not to exceed one thousand dollars, and disfranchised and rendered incapable of holding any office of profit or trust, for not less than five nor more than fifteen years.

Sec. 18. Any person who shall falsely represent that he is the person registered by any name designated on the registry, for the purpose of voting, or offering to vote, or who shall vote under, or by said name, when he is not the identical person so registered, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison for not more than three years, and not less than one year, and fined not exceeding five hundred dollars, and disfranchised and rendered incapable of holding any office of profit or trust for fifteen years.

Sec. 19. Any member of a Board of Registers, who shall knowingly place the name of any one on the registry list, who is not at the time a resident and voter of the precinct, in which he is registered, shall be deemed guilty of a felony, and on conviction shall be imprisoned in the State Prison not less than three months nor more than two years, and be fined in any sum not to exceed one hundred dollars, and disfranchised and rendered incapable of holding any office of profit or trust for ten years.

Sec. 20. Any person procuring his own name, or the name of any other person, to be registered, when he, or such other person, is not legally entitled to vote in such precinct, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison not more than two years, nor less than three months, and disfranchised and rendered incapable of holding any office of profit or trust for ten years.

Sec. 21. Any person who shall offer to register his name, or the name of any other person, as a voter in any precinct, knowing that he, or such other person, is not legally entitled to vote in such pre-



inct, at the time of said offer to register, shall be deemed guilty of a felony, and, on conviction, shall be fined not exceeding one thousand dollars, and imprisoned in the county jail not to exceed three months, and disfranchised and rendered incapable of holding any office of trust or profit for five years.

Sec. 22. Any person who shall procure his own name, or the name of any one else, to be registered in more than one precinct, or more than once in any precinct, shall be deemed guilty of a felony, and upon conviction, shall be imprisoned in the State Prison not less than three years, nor more than ten years, and fined not exceeding one thousand dollars, and disfranchised and rendered incapable of holding any office of trust and profit for fifteen years.

Sec. 23. The Board of Registers shall be paid for their services the same amount, and in the same manner, that the Board of Electors are now paid.

Sec. 24. All laws, or parts of laws, inconsistent with the provisions of this act, are hereby repealed.

Sec. 25. The Auditor shall, as soon as possible after the passage of this act, have the same printed in pamphlet form, with necessary instructions and forms to carry the same into force and effect, and shall transmit the same to the Clerks of the several counties, also make and transfer to the said Clerks the necessary rolls and forms to make said registry as now provided in case of elections.

Sec. 26. There is an emergency for the immediate taking effect of this act. It shall therefore be in force from and after its passage.

Mr. Baker moved to lay the amendment by Mr. Miller on the table.

Which was agreed to.

Mr. Spencer moved that the House resolve itself into Committee of the Whole.

Which was not agreed to.

Mr. Hughes made the following motion :

I move to indefinitely postpone the whole subject of a registry law, including Senate bill No. 2, and all amendments offered thereto.

Mr. Hungate moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion by Mr. Hughes to indefinitely postponed.

Messrs. Hungate and McFadin demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Hudson, Hughes, McFadin, and Shull—4.

Those who voted in the negative were,

Messrs. Baker, Barritt, Black, Blanch, Bobo, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, North, Peelle, Prather, Ross, Rosser, Sabin, Shanks, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Watson, Wilson, White, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—75.

So the motion to indefinitely postpone did not prevail.

Mr. Hamilton moved to take up House bill No. 43.



Mr. Shull moved to lay the motion by Mr. Hamilton on the table.

Which was agreed to.

Mr. Belford moved to recommit Senate bill No. 2 and House bill No. 25, together with all amendments to said bills heretofore offered, to the Committee on the Judiciary, with instructions to report the same back to the House to-morrow.

Mr. Higgins moved to lay the motion to recommit on the table.

Which was agreed to.

Mr. Montgomery offered the following amendment to the title of House bill No. 278:

“A bill to fix the times of holding the Circuit Courts in the fourth Judicial Circuit, and declaring an emergency.”

Which was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Higgins moved that the House resolve itself into Committee of the Whole House.

Which was agreed to.

Mr. Hughes was called to the Chair.

After remaining in session some time the committee rose, and made the following report through their Chairman:

MR. SPEAKER:

The Committee of the Whole House, to whom was referred Senate bill No. 2 have had the same under consideration, and have agreed to the following amendment, and ask to be discharged from the further consideration of the subject.

Which was concurred in, and the committee discharged.

The following amendment to Senate bill No. 2 was reported by Mr. Hughes, from the Committee of the Whole House:

“Strike out ‘twenty,’ and insert ‘sixty,’ in lieu thereof.”

Mr. Baker moved to lay the amendment on the table.

Messrs. Honneus and Van Valkenburgh demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Bobo, Carter, Corey, Crowe, Douglass, Edmonson, Ervin, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Lopp, McClasky, McFadin, Montgomery, Ross, Shanks, Shields, Shoaff, Stackhouse, Tebbs, Thacher, Van Valkenburg, Vawter, White, and Wolfe—33.

Those who voted in the negative were,

Messrs. Belford, Bischof, Blanch, Brucker, Chambers, Crain, Daggy, Danaldson, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litsen, Long of Kosciusko, Martin, Mason, McCarthy, McLean, McMurray, Miller, Moore, Morrison, North, Peelle, Prather, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of LAGRANGE, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—54.

So the motion to lay on the table did not prevail.

The question being on adopting the amendment to Senate bill No. 2.

It was agreed to.

Mr. Woods moved to reconsider the vote by which House bill No. 25 was laid on the table.

Mr. Fuller moved to lay the motion to reconsider on the table.

Messrs. McFadin and Woods demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Corey, Douglass, Edmonson, Fuller, Hamilton, Hays, Honneus, Hostetter, Hughes, Hungate, Inman Kiser, McCarthy, McFadin, Montgomery Shanks, Shields, Shoaff, Shull, Staekhouse, Van Valkenburgh and Wolfe.—24.

Those who voted in the negative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Higgins, Hopkins, Hudson, Litson, Long of Kosciusko, Martin, Mason, McClasky, McLean, McMurray, Miller, Moore, Morrison, Newcomb, North, Peele, Prather, Ratliff, Ross, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Wilson, White, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—61.

So the motion to lay on the table did not prevail.

The question being on the motion to reconsider.

It was agreed to.

Mr. Miller moved to amend Senate bill No. 2, by striking out all after the enacting clause, and inserting the following:

That it shall be the duty of the Board of County Commissioners, in each county of this State, at their June session, in the year 1867, and thereafter, whenever required, for the convenience of the voters, to divide their respective counties into voting precincts, and number the same for State, county and township elections; defining the boundaries of each precinct, so that they may be easily known; fixing and designating one place, and no more, for voting, in each precinct, which voting precincts shall conform to the civil townships, except when the convenience and number of inhabitants in any township will, in the opinion of the Commissioners, require the township to be divided into two or more voting precincts, in which case, the boundaries of each precinct shall be given.

Sec. 2. It shall be the duty of the Common Councils of each incorporate city in this State, in like manner, as soon as practicable after the passage of this act, to divide their cities into voting precincts, conforming as nearly as possible to the wards of such cities.

Sec. 3. The Board of Commissioners of each county, and the Common Council of each city, as soon as they have complied with the requirements of the first and second sections of this act, shall appoint a Board of Registers for each precinct, representing as nearly as practicable, the different political parties there existing; a majority of whom shall constitute a quorum.

Sec. 4. Such Registers, before entering on their duties, shall each take an oath to faithfully and honestly discharge their duties as such Registers, according to law, and they may swear each other in the same manner as is now provided in case of Board of Elections; and in like manner, fill all vacancies in case any member fails to attend.

Sec. 5. Each Board of Registers shall meet at the place designated in its voting precinct, on the 1st Monday in August, in each year, after the passage of this act, and in case any of the Board shall fail to appear and enter upon the discharge of his duties, the voters may select the Board as now provided for the selection of a Board of Electors, which Board shall proceed to make a complete register of the voters in such precinct, arranging the list in alphabetical order, designating, in a column opposite each name, the place of residence of each voter, so that it can be easily ascertained therefrom. Said Board shall not register the name of any voter, unless some one of said Board will swear that such voter is a *bona fide* resident of, and is therefore entitled to vote in, said precinct, or unless upon the sworn statement, to like effect, of said voter, or some other voter, in said precinct. Said Board shall continue in session from day to day, not to exceed three days, until said list shall be completed; beginning their session at 8 o'clock, A. M., and closing at 6 o'clock, P. M.

Sec. 6. The list of voters, alphabetically arranged by said Board, shall, as soon as completed, be published in a weekly newspaper

published in the county, if there be one, or by posting the same up at the place of voting in the precinct. The posting, or publication, shall be at least sixty days before each general election.

Sec. 7. Each Board of Registers shall meet at the voting place of its precinct, three weeks after the publication or posting of said list, for the purpose of correcting the same, by adding any name omitted that should have been registered, or striking off any name wrongfully registered, or the name of any one not then a voter in such precinct; vacancies to be filled as in the first instance. .

Sec. 8. Any voter who may apply to be registered, and shall be refused by such Board, shall have the right to an appeal to the Circuit or Common Please Court of the county, and any other voter of the precinct shall have a like appeal, whenever the Board register any one whom he may claim is not a voter of said precinct. In case of an appeal from a refusal to register, as aforesaid, the style of the case shall be in the name of the person appealing against said Board. In case of an appeal from an improper registry, as aforesaid, the style of the case shall be in the name of the voter appealing against the voter registered. The costs in each case shall be determined as in other cases, except when the appeal is against the Board, and is determined in favor of the appellant, then the costs shall be paid by the county.

Sec. 9. After the first lists of voters, taken under this act, shall have been completed, the lists thereafter shall each year be made up from the old lists, on the first Monday of August, by striking from said lists the names of such persons as have died or moved out of said precinct, and adding the names of such as have moved into said precinct, or have not been registered, but no name shall be stricken from said lists, or added thereto, except on such evidence as is required to register the names in the first instance.

Sec. 10. When the list of registered voters is completed, the members of said Board shall attach their affidavits thereto, that the same contains a full and complete register of all the voters of said precinct, so far as they have legal knowledge; that they have left off the name of no one who, in their knowledge or opinion, upon the evidence herein before required, should have been registered

and that they have not registered any name on said registry, without the knowledge on their part, or the evidence heard by them, as required by this act, and make four copies thereof, one to be posted at the place of voting, in said precinct, one to be kept by the President of the Board to be elected by said Board, and one to be deposited with the Township Trustee, and one with the County Clerk, all of which shall be at all times open for the inspection of any voter, free of charge.

Sec. 11. After the completion of said registry of voters, the same may be published again, in a weekly newspaper of said county, at a cost of not more than two cents for each name, to be paid by the county, and in case of the publication of the entire list of each county, the same shall be posted up at the voting place of each precinct, at least thirty days before any general election.

Sec. 12. The list of registered voters, reported by the Township Trustees, shall be delivered to the Inspector, or a Judge of the Board of Elections of the precinct, before or as soon as such Board of Elections is organized, and said Board of Elections shall not receive any ballot from any voter, unless his name is duly registered on said list, except as hereinafter provided, and said Board of Elections, before depositing any ballot in the box, shall examine the registry list, and if the name of the voter shall appear thereon, they shall check the same with an appropriate mark, and if the vote is not challenged, shall enter the name on the poll-list, and deposit the ballot in the box.

Sec. 13. Any voter, duly registered, shall be entitled to vote, unless he shall be challenged and proof adduced that he is not entitled to vote; but the Board may examine such witnesses as they may deem proper, to determine the fact, and receive or reject the vote, as the facts may warrant.

Sec. 14. Any one claiming the right to vote, who has not been registered, may be allowed to vote, by presenting to the Board of Elections, his own and the affidavits of two registered voters of said precinct, that such voter is a *bona fide* resident of said precinct, and entitled to vote at said election, specifically designating the place of his residence; which affidavit shall be filed with the Board, and his name registered and vote received, subject to the

same rule governing registered voters. Said affidavit shall be returned with the poll-lists and filed in the office of the Clerk of the Circuit Court of the county.

Sec. 15. The list of registered voters shall be left open to the inspection of the public, and any voter of the precinct shall have the right and privilege to examine the same, and the registry shall be kept by the President of the Board of Registry, until the day of election, and then delivered to the Inspector of Elections of the precinct.

Sec. 17. Any person making oath under any of the provisions of this act, who shall swear falsely, shall be deemed guilty of perjury, and, on conviction, shall be imprisoned in the State Prison for not less than three years, nor more than ten years, and be fined in any sum not to exceed one thousand dollars, and disfranchised and rendered incapable of holding any office of profit or trust, for not less than five nor more than fifteen years.

Sec. 18. Any person, who shall falsely represent that he is the person registered, by any name designated on the registry, for the purpose of voting, or offering to vote, or who shall vote under or by said name, when he is not the identical person so registered, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison for not more than three years, and not less than one year, and fined not exceeding five hundred dollars, and disfranchised and rendered incapable of holding any office of profit or trust for fifteen years.

Sec. 19. Any member of a Board of Registry, who shall knowingly place the name of any one on the registry list, who is not, at the time, a resident and voter of the precinct in which he is registered, shall be deemed guilty of a felony, and, on conviction, shall be imprisoned in the State Prison not less than three months, nor more than two years, and be fined in any sum not to exceed one hundred dollars, and disfranchised and rendered incapable of holding any office of profit or trust for ten years.

Sec. 20. Any person procuring his own name, or the name of any other person, to be registered, when he, or such other person, is



not legally entitled to vote in said precinct, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison not more than two years, nor less than three months, and disfranchised and rendered incapable of holding any office of profit or trust for ten years.

Sec. 21. Any person who shall offer to register his name, or the name of any other person, as a voter in any precinct, knowing that he, or such other person, is not legally entitled to vote in said precinct, at the time of said offer to register, shall be deemed guilty of a felony, and on conviction, shall be fined not exceeding one thousand dollars, and imprisoned in the county jail not to exceed three months, and disfranchised and rendered incapable of holding any office of trust or profit for five years.

Sec. 22. Any person who shall procure his own name, or the name of any one else, to be registered in more than one precinct, or more than once in any precinct, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State Prison not less than three years, nor more than ten years, and fined not exceeding one thousand dollars, and disfranchised and rendered incapable of holding any office of trust or profit for fifteen years.

Sec. 23. The Board of Registers shall be paid for their services, the same amount and in the same manner, that the Board of Elections are now paid.

Sec. 24. All laws, or parts of laws, inconsistent with the provisions of this act, are hereby repealed.

Sec. 25. The Auditor shall, as soon as possible after the passage of this act, have the same printed in pamphlet form, with necessary instruction and forms, to carry the same into force and effect, and shall transmit the same to the Clerks of the several counties; also make and transfer to the said Clerks the necessary rolls and forms to make said registry, as now provided in case of elections.

Sec. 26. There is an emergency existing for the immediate taking effect of this act. It shall, therefore, be in force from and after its passage.



Mr. Foulke moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the amendment offered by Mr. Miller.  
It was agreed to.

Mr. Miller offered the following amendment:

Sec. —. That all ballots which may be cast at any election hereafter held in this State, shall be written or printed on white paper, without any distinguishing marks or other embellishment thereon, except the names of the candidates and the offices for which they are voted for; and inspectors of elections shall refuse all ballots offered of any other description: *Provided*, nothing herein shall disqualify the voter from writing his own name on the back thereof.

Mr. Woods offered the following amendment to Mr. Miller's amendment:

Strike out the words "without any distinguishing marks or other embellishment thereon, except the names of the candidates and the offices for which they are voted."

Which was agreed to.

The question being on the amendment by Mr. Miller, as amended by Mr. Woods.

It was agreed to.

Mr. Higgins moved to strike out the word "and," and insert "or," in section six.

Mr. Woods offered the following amendment:

Amend by inserting the following as section 11, and numbering the rest of the sections accordingly:

Sec. 11. Any person not born a citizen of the United States, on

applying to have his name placed on the register, shall prove that he is a citizen of the United States by producing a certificate of naturalization from a Court of competent jurisdiction, or shall prove his declaration of intention to become such citizen by producing a duly certified copy of the record of his declaration of such intention, unless he shall first show to the satisfaction of the Board of Registers that he is unable to produce either such certificate of naturalization, or record proof of his said declaration of intention; or if such person have become a citizen by virtue of the naturalization of his father or the declaration of intention to become such citizen by his said father, he shall prove such fact to the satisfaction of such Board, and by the proper certificate or certified copy of the record, if possible; and when the question is raised as to the naturalization or declaration of intention of a person, proof shall be made to the satisfaction of such Board, that the person claiming to be placed on the register is the identical person named in the certificate or certified copy of the record of declaration of intention which he produces, or the son of such indetential person; and such Board may require any person seeking to have his name registered, to state on oath whether he is a citizen, by birth, of the United States: *Provided*, That if the name of such person appear on the registry last made in such district, the Board of Registry may, in its discretion, dispense with the proofs required in this section.

Messrs. Honneus and Baker demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Hartman, Hamilton, Higgins Hopkins, Hudson, Litson, Long, of Kosciusko, Martin, Mason, McClasky, McMurray, Moore, North, Peelle, Prather, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfin, Woods, and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Baker, Black, Brucker, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, McCarthy, McFadin, Miller, Morrison, Montgomery,

Ratliff, Ross, Shanks, Shields, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, White, and Wolfe—33.

So the amendment was agreed to.

Mr. Foulke offered the following amendment:

Add in the third line of section 19, after the word "registered," "or who shall refuse to carry out the provisions of section fifteen."

Which was agreed to.

Mr. Woods offered the following amendment:

Amend by adding the following section, viz:

Sec. —. No person shall be considered, under any circumstances, as having a residence in any ward, or election district, or precinct, unless he shall have had a permanent abode therein for at least forty days immediately preceding any election in such ward, precinct, or district at which such person shall offer to vote.

Which was agreed to.

Mr. Miller moved to consider the amendments to Senate bill No. 2 as engrossed.

Which was agreed to.

Senate bill No. 2. A bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for services of such officers, having previously been read a third time.

Mr. Crain moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Griggs, Hartman, Hamilton, Higgins, Hopkins, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, and Mr. Speaker—51.

Those who voted in the negative were,

Messrs. Baker, Black, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Greer, Hays, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Lopp, McFadin, Morrison, Montgomery, Ross, Shanks, Shields, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, White, Wolfe, and Wright—33.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Higgins, the House adjourned.

TUESDAY MORNING, 9 O'CLOCK, }  
March 5, 1867. }

The House met.

On motion by Mr. Shuey, the reading of the Journal, excepting that portion relating to the passage of the registry law, was dispensed with.

Messrs. McLean, Stafford, Stewart, and Gordon obtained leave to record their votes in favor of the passage of Senate bill No. 2.

Messrs. White, Bobo, Thacher, Long of Jackson, Vawter, and O'Neil obtained leave to record their votes against the passage of House bill No. 157.

#### PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Blanch,

A petition from sundry citizens of Howard county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Williams,

A petition from sundry citizens of Brown county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hudson,

Two petitions from sundry citizens of Jay county, on the subject of a prohibitory liquor law.

Which were referred to the Committee on Temperance, without reading.

By Mr. Mason,

A petition from sundry citizens of Greene county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Morrison, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred Senate bill No. 235—"a bill to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county auditors and treasurers, and of the Treasurer and Auditor of State,"—have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee of Ways and Means, made the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred Senate bill No. 165—"an act to provide for the appraisement of real estate, and prescribing the duties of officers in relation thereto," approved December 21, 1858—have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

Which was laid on the table.

Mr. Newcomb, from the Committee on Ways and Means, made the following report :

MR. SPEAKER:

The Committee on Ways and Means have considered and agreed upon a bill making general appropriations for the years 1867 and 1868, defining the salaries and official tenure of certain officers, repealing certain laws therein named, and declaring an emergency and instructed me to report the same to the House, and recommend its passage.

Which was laid on the table.

Mr. Wright, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred House bill No. 344—an act to repeal an act entitled “an act to provide for the sale of certain lands belonging to the State of Indiana, in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon,” approved December 12, 1865, and for the relief of John P. Dunn, a former Auditor of State—have had the same under consideration, and would respectfully recommend the following amendments:

Add to section first the words: “So far as relates to the county of Newton.”

Add to section second the words: “lying in the county of Newton.”

And, when so amended, the Committee recommend the passage of the bill.

Which was laid on the table.

Mr. Ferris, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of the Tell City Artillery Company, for the rent on house built by them for the safe-keeping of field pieces and ordnance stores for

the year 1865, amounting to \$65, have considered the same, and would recommend that said claim be not allowed.

Which was concurred in.

Mr. Crowe, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims, to whom was referred the claim of Patrick Brannon for \$36, for twelve days' service, under the direction of Mr. Brown, formerly State Librarian, have had the same under consideration, and would recommend that the same be allowed, and placed in the Specific Appropriation Bill for payment.

Which was concurred in.

Mr. Miller, from the Committee on the Sinking Fund, made the following report :

MR. SPEAKER :

The Committee on the Sinking Fund, to whom was recommit-  
ted Senate bill No. 102, have had the same under consideration,  
and have directed me to report the following amendments, and with  
a concurrence therein, to recommend the passage of said bill :

1. Strike out section three and insert in lieu thereof the following :

"The Auditor of State, for the services required of him by this act, shall be allowed the sum of \$1,000 per annum, together with all the incidental expenses incurred in the management of said fund, for which proper vouchers shall be exhibited by him; and he shall, also, be allowed for clerk hire, the sum of \$2,000 per annum, which said salary, incidental expenses and clerk hire, shall be paid quarterly out of the interest of said fund."

2. Add to section four, line six, second page, the following :

"*Provided*, That such right shall not be forfeited if the mortgagor, his heirs, assigns or personal representatives, shall pay the



installment due, and all damages, costs and interests, and one year's interest in advance, within the time allowed for the redemption of lands sold by virtue of the provisions of this act, or the acts governing the sale of Sinking Fund lands, in force on the 20th day of January, 1867.

3. Amend the sixth section by striking out all after the word "shall," in the fourth line, and insert the following :

"Whenever the sum amounts to \$5,000, or more, forthwith notify the Secretary and Treasurer of State of the amount of said fund in his hands, and the said Auditor, Secretary and Treasurer shall immediately proceed to invest the funds then in the hands of said Auditor, or under his control, in the five or two and one-half per cent. stocks of the State, by purchasing the same on the best and lowest terms that they can be had for in the market; and the said Auditor shall keep an accurate list of the names of the persons from whom purchased, the time and place of purchase, and the price paid therefor; and he shall report to the Governor at least once in three months, and to the General Assembly at each session, a full account of all his transactions in relation to such purchases. Any stocks or bonds thus purchased, shall be immediately cancelled by writing across the face thereof, "Purchased for the School Fund;" dated and signed by the Auditor, Secretary and Treasurer of State; and a non-negotiable bond shall be issued in favor of said school fund as now provided by law."

4. Add the following section :

"No suit heretofore commenced by the Board of Sinking Fund Commissioners, and pending on the 20th day of January, 1867, shall abate by reason of the abolition of said Board; but the same shall be continued, in the discretion of the Auditor of State, in the name of the State of Indiana, on the relation of the Auditor of State."

Which was laid on the table.

Mr. Crain, from the Committee on Railroads, made the following report :

MR. SPEAKER:

The Railroad Committee to whom was referred a resolution of the House, directing said committee to inquire whether the Ohio and Mississippi Railroad Company have complied with the terms of their charters by paying into the State Treasury, for the benefit of common schools, the percentage on their respective incomes, as mentioned in their charters; and whether they have not forfeited their charters by reason of non-compliance with the conditions of the same; and what, if any, legislation is necessary—have had the same under consideration, and are of the opinion that the subject matter of the resolution is of much interest to the State, and that there is not sufficient time for a proper investigation to be made during the present session of the Legislature.

Your committee would express the further opinion that the citizens of the State have a deep interest in the regulation by law of the rates for transporting freight, and especially what is called local freight, over our railroads, as well as the regulating of the fair for carrying passengers over said railroads; but the subject is too complicated to be properly investigated, considered and arranged in detail in the short time yet remaining to the present session of the Legislature.

A law should be enacted which, while it protected sufficiently and surely the people from imposition, should abstain from working injury to our railroad interests.

To arrive at proper conclusions in regard to the matter above spoken of, much time must necessarily be employed in examining the charters of the several railroads operating under special charters; many complicated and difficult legal questions must be settled, while the magnitude of interests involved, seem to suggest that nothing should be done without great care and deliberation.

In view of the above and other reasons which might be urged, the committee have directed me to report the following concurrent resolutions, and recommend their adoption:

Which was laid on the table.

Mr. Daggy, from the Committee on Temperance, made the following report:

MR. SPEAKER:

The Committee on Temperance, to whom was referred House

bills Nos. 73, 74, 247, 285, 309, 323 and 340, on the subject of temperance, have had the same under consideration and directed me to return the same to the House and report that a substitute for all said bills on said subject is pending, and therefore recommend that all the above named bills be indefinitely postponed.

Mr. Shuey moved to amend said report by striking out the words "indefinitely postponed," and insert "laid on the table."

Which was not agreed to.

The question being on concurring in the report of the committee.

It was agreed to.

Mr. Evans, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The committee, to whom was referred Joint Resolutions Nos. 20 and 23 and House bills Nos. 279, 288, 301, 245, and 261, have had the same under consideration, and order me to report the same, correctly engrossed.

Mr. Crain, from the Committee on Employees, made the following report:

MR. SPEAKER:

The Committee on Employees of the House direct me to report that John P. Lancaster be allowed for six days, and George H. Moore for six days, as journal clerks, the same being for services as journal clerks until the regular journal clerks were appointed.

Which was concurred in.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following House, to-wit:

House bill No. 185, entitled a bill to amend the forty-fifth section of "an act to provide for the opening, vacating and change of highways," approved June 17, 1852.

Also, that the Senate has passed Senate Joint Resolution No. 5, "directing the burning of cancelled bills of broken and closed banks, and the burning of unsiged bills of free banks broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks."

Also, that the Senate has passed the following Senate bills, to-wit :

Senate bill No. 148, entitled "an act to amend an act to incorporate the Grapevine Marsh Plank Road Company," approved February 12, 1851.

Senate bill No. 91, entitled "an act to provide for rules and by laws for such roads," and the punishment for the violation thereof, In which the concurrence of the House is respectfully requested.

Mr. Newcomb introduced

House bill No. 348. A bill making general appropriations for the years 1867 and 1868, defining the salaries and official tenure of of certain officers, repealing certain laws therein named, and declaring an emergency.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule, requiring bills to be read by sections on three several days, and that said bill be read a first time, by its title, and a second time by sections, now.

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Bobo, Brucker, Campbell, Carter, Corey, Crain, Crowe, Daggy, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greene, Greer, Griggs, Hartman, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, McCarthy,

McClasky, McFadin, McMurray, Miller, Moore, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thatcher, Thrasher, Thomas, Vawter, Wason, Watson, White, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Chambers, Shields, and Wolfe—3.

So it was deemed expedient to suspend the constitutional rule, and House bill No. 348 was read a first time by its title, and a second time by sections.

Mr. Newcomb moved that said be considered by sections.

Which was agreed to.

Mr. Spencer offered the following amendment:

Strike out "\$800" for salary of Clerk of State Superintendent of Public Instruction, and insert "\$500."

Which was agreed to.

Mr. Miller offered the following amendment to section 4:

Strike out "\$12,000," and insert "\$10,000."

Which was not agreed to.

Mr. Miller offered the following amendment:

Strike out in section nine "\$12,000," and insert "\$10,000.

Mr. Newcomb moved to lay said amendment on the table.

Which was agreed to.

Mr. Baker moved to strike out "\$25,000," and insert "\$20,000," in reference to the Asylum for the Blind.

Which was not agreed to.

Mr. Miller moved to amend section 21 by striking out all of the

section, and inserting "For the current expenses of the Insane Asylum, the sum of fifty thousand dollars."

Mr. Miller moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

Messrs. Miller and Thrasher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Blanch, Bobo, Carter, Corey, Crain, Crowe, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, McFadin, Miller, Ross, Shanks, Shields, Spencer, Tebbs, Vawter, Williams, White, and Wolfe—29.

Those who voted in the negative were,

Messrs. Belford, Brucker, Campbell, Chambers, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, McCarthy, McClasky, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Stackhouse, Stafford, Stewart, Thacher, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, and Mr. Speaker—58.

So the motion to amend did not prevail.

Mr. Greene moved to amend section 23 by inserting "Said claims must be placed on file within three months after the passage of this act.

Which was not agreed to.

Mr. Newcomb offered the following amendment to section 23:

It is hereby made the duty of the Paymaster, after due notice to the commandants of companies, to attend at the time appointed at

some convenient place in the several counties of Spencer, Perry, Crawford, Jefferson, Jennings, and Bartholomew, and pay to such parties entitled to pay, as shall present themselves in person; and it shall not be lawful for said Paymaster to pay to any person as attorney, until after he has attended at the times and places appointed in each of the above named counties, and given such as claim it the privilege of receiving their pay in person.

Which was agreed to.

Mr. Thacher moved to amend section 34 by inserting "\$500" for clerk hire of the Superintendent of Public Instruction, for the year 1868.

Which was agreed to.

Mr. Hughes offered the following amendment:

For the extinguishment of the debt due to the Sinking Fund from the State University, and from individuals, being for money applied to the building of the University buildings when destroyed by fire, fifteen thousand dollars, to be drawn from the Treasury in the same manner as the salaries of the President and Professors in said Institution.

Which was agreed to.

Mr. Stafford moved to reconsider the vote reducing the salary of the Clerk of the Superintendent of Public Instruction from \$800 to \$500.

Mr. Van Valkenburgh moved to lay the motion to reconsider on the table.

Messrs. Greene and Van Valkenburgh demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Bobo, Carter, Chambers, Corey, Crowe, Douglass, Dunn, Edmonson, Foulke, Fuller, Greene, Honneus, Hostetter, Inman, Kiser, Long of Jackson, Lopp, McFadin, Morrison, Ross, Sabin, Shields, Shoaff, Spencer, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, White, Williams, and Wolfe

—34.



Those who voted in the negative were,

Messrs. Belford, Brucker, Campbell, Crain, Daggy, Danaldson, Ervin, Evans, Ferris, Geisendorff, Greer, Griggs, Hamilton, Hays, Higgins, Hopkins, Hudson, Hughes, Hungate, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Stafford, Stewart, Thomas, Wason, Watson, Wolfer, Wolfli, Woods, Wright, and Mr. Speaker—50.

So the motion to lay on the table did not prevail.

The question being on the motion to reconsider.

It was agreed to.

House bill No. 348 was ordered to be engrossed.

Mr. Newcomb moved to take up Senate bill No. 227.

Which was agreed to.

Senate bill No. 227. A bill to consolidate certain bonds, stocks, and accounts of the school fund, into one non-negotiable bond, and making other provisions in relation thereto.

Mr. Newcomb offered the following amendment :

Amend by striking out the following words in the preamble to the bill, commencing with the word "and," in the eighth line, to-wit: "and whereas, on the 30th day of September, 1859, the said State was indebted for money borrowed by its officers of the sinking fund, to pay upon the State debt," and insert in lieu thereof the following: "And whereas, in conformity with an act of the General Assembly, approved December 23, 1858, entitled 'an act to secure to the sinking fund a debt which the State owes to said fund, and to provide for the payment of interest on said debt,' a non-negotiable bond was issued to said sinking fund for."

Which was agreed to.



Mr. Newcomb offered the following amendment :

Further amend by inserting after the word "act," in line twenty-two of section one, the following words to-wit: " Of December 20, 1865 : *provided*, that if said non-negotiable bonds shall be executed before the adjournment of the present session of the General Assembly, said other bonds and stocks shall be destroyed in the presence of the Committee of Ways and Means of the House of Representatives, and the Committee on Finance in the Senate, otherwise in the presence of the Chairman of each of said committees after the adjournment of the present session of this General Assembly."

Which was agreed to.

Mr. Newcomb moved that the amendments be considered as engrossed.

Which was agreed to.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and that said bill be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, McCarthy, McClasky, McLean, McMurray, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shook, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Baker, Black, Bobo, Crowe, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson,

Lopp, McFadin, Montgomery, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—28.

So it was not deemed expedient to suspend the constitutional rule.

Mr. Peelle moved to take up House bill No. 342.

Which was passed over informally.

Mr. Woods offered the following resolution :

*Resolved*, That in order that a reconsideration may be had of the vote adopting the section concerning the registration of the names of foreign born citizens, that the vote on the passage of said Senate bill No. 2 be reconsidered.

Mr. Hughes moved to lay the motion to reconsider on the table.

Which was not agreed to.

The question being on the motion to reconsider.

The same was agreed to.

Mr. Woods moved to reconsider the vote by which section eleven, in the registration of the names of foreign born citizens was adopted.

Mr. Hughes moved to lay the motion to reconsider on the table.

Which was not agreed to.

The question being on the motion made by Mr. Woods to reconsider the vote adopting the eleventh section.

It was agreed to.

Mr. Woods moved to lay said amendment (section eleven) on the table.

Messrs. Baker and Van Valkenburgh demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greene, Greer, Griggs, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of LaGrange, Smith of Wabash, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolfin, Woods, and Mr. Speaker—83.

Those who voted in the negative were,

Messrs. Gordon, Kiser, and Spencer—3.

So the motion to lay on the table prevailed.

The question being, shall Senate bill No. 2—a bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for services of such officers—as amended, pass?

Mr. McLean moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Bobo, Brucker, Campbell,  
H. J.—61

Chambers, Corey, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hungate, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, White, Wolfe, Wolfer, Wolfin, Woods, and Mr. Speaker—82.

Those who voted in the negative were,

Messrs. Hudson, Hughes, Kiser, Shull, and Carter—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred Enrolled House bill No. 185, have carefully compared it with the engrossed bill thereof, and have directed me to report that they find the same correctly enrolled.

The Speaker announced that he had signed House bill No. 184.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following Senate bills thereof, to-wit:

Senate bill No. 233. Entitled an act to appropriate certain sums of money to the Antietam National Cemetary, and to the Soldiers' National Cemetery at Gettysburg.

Senate bill No. 149. Entitled an act to amend the second section of "an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been, or shall be, incorporated in this State for any of the purposes contemplated in this act, with a limitation of the amount or location of its real estate, may take, hold and convey any amount of real estate which may be necessary to carry on the operations of such company, whether such real estate be situate in this State or elsewhere.

Senate bill No. 154. Entitled an act to revive and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter, approved January 27, 1847.

Senate bill No. 159. Entitled an act providing for the appointment of a night watchman for the State House, to fix the salary for the same, and declaring an emergency.

Senate bill No. 169. Entitled an act to provide for official visitations and inspections of the Prisons and Benevolent Institutions of the State.

Senate bill No. 171. Entitled a bill fixing the duration of the term of the Circuit Courts in the county of Warren, and repealing all laws in conflict with its provisions.

Senate bill No. 176. Entitled a bill requiring railroad companies to erect signs or public notices at all highway crossings, and providing penalties for the neglect thereof.

In which the concurrence of the House is respectfully requested.

Mr. Hughes moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days,

that Senate bill No. 227—a bill to consolidate certain bonds, stocks and accounts of the School Fund into one non-negotiable bond, and making other provisions in relation thereto—be read a third time now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Kiser, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Ross, Sabin, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Baker, Black, Bobo, Carter, Corey, Crowe, Edmonson, Fuller, Greene, Hays, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, Montgomery, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, Wilson, and Wolfe—25.

So it was deemed expedient to suspend the constitutional rule, and said bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hudson, Hughes, Inman, Kiser, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shanks, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford,

Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods, Wright, and Mr. Speaker—77.

Those who voted in the negative were,

Messrs. Bobo, Carter, Edmonson, Hostetter, Long of Jackson, Shull, and Van Valkenburgh—7.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled House act No. 185, and herewith returns the same.

House bill No. 342. A bill authorizing the Governor of the State of Indiana to appoint a Commission, whose duty it shall be to settle the claims of the State of Indiana against the General Government, by accepting the Internal Improvement bonds, issued by said State, and held in trust for certain Indian tribes by the General Government; to provide for the payment of the outstanding bonds of the State, issued prior to the year 1846; to provide for the registration, canceling and burning of said bonds, and providing compensation for said Commissioners.

Was read a second time.

Mr. Peelle offered the following amendment :

Amend section five as follows : Insert after the words "sum of," in line three, the words "six dollars," and after the words "per day,"

in the fourth line, these words, "and all necessary and proper expenses in and about the adjustment of said claim, and redemption of said bonds."

Mr. Hughes moved the previous question.

Which was not seconded by the House.

The question being on the amendment offered by Mr. Peelle.

It was agreed to.

Mr. Prather offered the following amendment:

Strike out all of section two, after the word "aforesaid" in line six of said bill.

Mr. Hughes moved to lay said amendment on the table.

Pending which,

On motion by Mr. Griggs, the House adjourned.

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TWO O'CLOCK, P. M.

The House met.

Mr. Mason, by consent, introduced

House Joint Resolution No. 26, a joint resolution in regard to the use of canal banks for railroad purposes.

Which was read a first time, and passed to a second reading.

Message from the Governor, by Mr. Commons, his Private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform your honorable body



that he has approved and signed Enrolled Act No. 8—an act to amend the ninety-ninth section of an act entitled “an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,” approved June 18, 1852.

Also, Enrolled Act No. 77—an act to increase the salaries of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing for the payment of the increase out of the proper county treasuries.

Also, Enrolled Act No. 99—an act to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to cities and incorporated towns.

Also, Enrolled act No. 185—an act to amend the forty-fifth section of an act entitled “an act to provide for the opening, vacating and change of highways,” approved June 17, 1852.

And that the same have been deposited in the office of the Secretary of State.

Mr. Thacher offered the following resolution:

*Resolved*, That the Judiciary Committee be, and are hereby instructed to report House bill No. 341, taxing stocks of banks or banking associations as soon as convenient.

Which was adopted.

Mr. Greene offered the following resolution:

WHEREAS, It has been announced that the Hon. Peter Kiser will deliver a lecture in the Hall of Representatives, on Thursday evening March 7, 1867;

AND WHEREAS, By a resolution of the House, heretofore adopted, said evening, and said Hall will be occupied by a night session of the House of Representatives;

AND WHEREAS, The public would be greatly disappointed should they not be permitted to hear the lecture of the aforesaid dis-

tinguished representative from the county of Allen; therefore be it

*Resolved*, That the Hall of the House of Representatives be tendered to the said Hon. Peter Kiser to deliver his lecture on Wednesday evening, 6th inst.

Mr. Peelle moved to amend by inserting: "*Provided* there be no session of the House."

Which was not agreed to.

The question being on the adoption of the resolution, by Mr. Greene.

Mr. Foulke moved to lay said resolution on the table.

Which was not agreed to.

The question recurring on the resolution offered by Mr. Greene.

Messrs. Miller and Foulke demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Black, Bobo, Crowe, Fuller, Greene, Greer, Griggs, Hays, Higgins, Honneus, Hostetter, Hughes, Long of Jackson, Lopp, McFadin, Morrison, Montgomery, Ratliff, Ross, Shoaff, Shull, Smith of Wabash, Spencer, Stackhouse Stafford, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Williams, White and Wolfe—32.

Those who voted in the negative were,

Messrs. Bischof, Brucker, Chambers, Corey, Crain, Daggy, Edmonson, Ervin, Evans, Foulke, Funk, Geisendorff, Gordon, Hamilton, Hopkins, Hudson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, Miller, Moore, North, Peelle, Prather, Rosser, Shook, Shuey, Skidmore, Smith of Lagrange, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods and Mr. Speaker—41.

So the resolution was not agreed to.

Pending the adjournment, was House bill No. 342.

The question being on the motion made by Mr. Hughes, to lay the amendment offered by Mr. Prather on the table.

Mr. Hughes, by consent, withdrew his motion to lay said amendment on the table.

The question recurring on the amendment offered by Mr. Prather.

Mr. Shuey in the chair.

Mr. Branham moved to make House bill No 342, the special order for three o'clock to morrow, (Wednesday,) P. M.

Which was agreed to.

#### HOUSE BILLS ON THIRD READING.

House bill No. 229. A bill granting the Trustees of the several townships of this State the power to levy and collect moneys, to be known as a Bridge Fund, in the way and manner that other taxes are levied and collected.

Was read a third time and laid on the table.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed bills thereof, to-wit.

Senate bill No. 178, entitled "an act to regulate the assessment and collection of taxes on the capital stock owned in banks and banking associations, doing business in the State of Indiana."

Senate bill No. 180, entitled "an act to amend the twenty-third section of an act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana."

In which the concurrence of the House is respectfully requested.

Mr. Sabin moved to recommit Senate bill No. 36, to the Committee on Fees and Salaries.

Which was agreed to.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred Engrossed House bills Nos. 304, 312 and 319, have carefully compared the engrossed bills with the originals, and find them correctly engrossed.

House bill No. 300. A bill to amend section first of an act entitled "an act to amend section first of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith, approved March 5, 1859, approved January 26, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Bobo, Brucker, Campbell, Chambers, Corey Crowe, Daggy, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Spencer, Stackhouse, Tebbs, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolfin, Woods and Mr. Speaker—73.

Mr. Smith, of Wabash, voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 59. A bill to amend the second and twenty-third sections of an act entitled an act for the incorporation of insurance companies, defining their powers and prescribing their duties.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Black, Campbell, Chambers, Corey, Crowe, Daggy, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Higgins, Hopkins, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morison, Montgomery, Newcomb, North, Peelle, Ratliff, Rosser, Sabin, Shanks, Shook, Shoaff, Shull, Skidmore, Smith of La-grange, Smith of Wabash, Stackhouse, Stafford, Tebbs, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Honneus, Hostetter, Litson, Prather, Shuey, Spencer, Thacher, Vawter, White, and Wolfe—10.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 212. A bill to repeal a portion of the forty-first section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their rights, powers and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, approved December 20, 1865.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Brucker, Chambers, Crain, Daggy, Dunn, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hopkins, Honneus, Hudson, Litson, Long of Jackson, Long of Kosciusko, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Tebbs, Thrasher, Thomas, Wason, Watson, Wolfer, Wolflin and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bobo, Campbell, Crowe, Douglass, Edmonson, Ferris, Hays, Higgins, Inman, Kiser, Lopp, Montgomery, Shields, Shull, Thacher, Van Valkenburgh, Vawter, Wilson, White, Wolfe, Woods and Wright—24.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 287. A bill fixing the salary and terms of office of the Directors of the State Prison North, and repealing all laws conflicting with this act.

Was read a third time.

Mr. Shuey, by unanimous consent, offered the following amendment:

Strike out "March 11" and insert "March 20."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischoff, Black, Bobo, Brucker, Chambers Corey, Crain, Crowe, Daggy Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, North, Peele, Prather, Ratliff, Rosser, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, White, Wolfe, Wolfer, Wolfin, Woods, Wright and Mr. Speaker—89.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 290. A bill to amend section twenty-nine of an act entitled "an act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.

Was read a third time.

The question being, shall the bill pass?



Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bischof, Black, Bobo, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hudson, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, O'Neil, Peelle, Prather, Ratliff, Rosser, Shanks, Shields, Shook, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—72.

Those who voted in the negative were,

Messrs. Hostetter, Miller, Newcomb, Shuey, Thacher, Williams, Wilson, and White—8.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House Joint Resolution No. 9. A joint resolution declaring that there is now no law in force authorizing the payment of any money of the State Treasury for the purpose of defraying the expenses of the Indiana Military Agency for soldiers claims, at Indianapolis, Indiana, or the State Military Agency acting in connection therewith at Washington City, District of Columbia; or the salaries of clerks, office rent, or other expenses connected with said agencies, and abolishing the so-called offices, and prohibiting the further payment of any money from said Treasury for the use and benefit of said agencies, and to provide for the closing up of such business, and discontinuance of said offices.

Was read a third time.

Mr. McLean moved the previous question.

Which was seconded by the House.



The question being, shall the main question be now put?

It was so ordered.

The question being, shall said joint resolution pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Black, Bobo, Brucker, Corey, Crain, Crowe, Edmonson, Foulke, Funk, Fuller, Gordon, Greene, Greer, Griggs, Hays, Honneus, Hostetter, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Mason, McClasky, McFadin, McLean, Miller, Moore, Morrison, Montgomery, Rosser, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Stackhouse, Stafford, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, Wolfe, and Wolflin—53.

Those who voted in the negative were,

Messrs. Bischof, Campbell, Chambers, Daggy, Dunn, Ervin, Evans, Ferris, Geisendorff, Hartman, Hamilton, Higgins, Hopkins, Hudson, Martin, McCarthy, McMurray, Newcomb, North, Peelle, Prather, Ratliff, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Thrasher, Thomas, Wason, Watson, Woods, Wright, and Mr. Speaker—33.

So said joint resolution passed.

Mr. Hughes moved to reconsider the vote just taken.

Mr. Miller moved to lay the motion to reconsider on the table.

Messrs. Newcomb and Chambers demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Black, Bobo, Brucker, Campbell, Corey, Crain, Crowe, Douglass, Edmonson, Foulke, Fuller, Gordon, Greene, Greer, Griggs, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McFadin, McLean, Miller, Moore, Morrison, Montgomery, Rosser, Shanks, Shields, Shook, Shoaff, Shull,

Shuey, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Watson, Williams, Wilson, White, Wolfe, and Wolfer—57.

Those who voted in the negative were,

Messrs. Bischof, Chambers, Daggy, Dunn, Ervin, Evans, Ferris, Funk, Geisendorff, Hartman, Hamilton, Higgins, Hughes, McCarthy, Newcomb, North, Peelle, Prather, Skidmore, Smith of La-grange, Smith of Wabash, Spencer, Thomas, Wason, Woods, Wright, and Mr. Speaker—30.

So the motion to lay on the table prevailed.

The question being, shall the title, as read, stand as the title to said joint resolution?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of joint resolution No. 9.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Senate bill No. 185, entitled "a bill to authorize Judges of Circuit Courts and Courts of Common Pleas; to appoint receivers in vacation, and to make all orders in relation thereto; to authorize such Judges to modify and dissolve injunctions, and to allow appeals therefrom the same as if made by the court in session, and to provide that an appeal from an injunction order shall not operate as a supersedeas."

Senate bill No. 186, entitled "an act supplemental to an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Senate bill No. 187. Entitled "an act to provide for the keeping of a county pauper record, and defining the duties of certain officers in relation thereto."

Senate bill No. 190. Entitled "an act providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes, and declaring an emergency."

Senate bill No. 195. Entitled "an act to cure defective or illegal bonds of executors, and administrators, and their sureties."

In which the concurrence of the House is respectfully requested.

I am also directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in the engrossed House amendments to Senate bill No. 227.

House bill No. 41. A bill to provide and regulate the issuing and granting of license to locomotive engineers within the State of Indiana, and prescribing penalties for the violation of the provisions thereof.

Was read a third time.

Mr. Shuey moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Chambers, Crain, Crowe, Douglass, Dunn, Evans, Foulke, Greene, Griggs, Hartman, Hays, Higgins, Honneus, Hughes, Hungate, Litson, Long of Jackson, Martin, McCarthy, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Prather, Rosser, Shook, Smith of Wabash, Spencer, Stafford, Tebbs, Thomas, White, Wolfe, Wolfer, and Woods—38.

Those who voted in the negative were,

Messrs. Barritt, Bischof, Black, Bobo, Brucker, Corey, Daggy Edmonson, Ervin, Ferris, Funk, Fuller, Geisendorff, Gordon, Greer, Hopkins, Hostetter, Hudson, Inman, Kiser, Long of Kosciusko, Mason, McClasky, Morrison, North, Peelle, Ratliff, Ross, Shanks, Shields, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Stackhouse, Thrasher, Vawter, Watson, Williams, Wilson, Wright, and Mr. Speaker—39.

So the bill did not pass.

House bill No. 178. A bill to amend the thirty-third section of an act entitled an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass pass?

Those who voted in the affirmative were,

Messrs. Baker, Black, Chambers, Corey, Crowe, Daggy, Danaldson, Dunn, Evans, Ferris, Foulke, Funk, Hartman, Hays, Honneus, Hudson, Hughes, Long of Kosciusko, McCarthy, McFadin, McLean, McMurray, Miller, Newcomb, North, Peelle, Ratliff, Ross, Rosser, Shields, Shook, Shull, Shuey, Smith of Lagrange, Smith of Wabash, Thrasher, Wason, Watson, Wolfer, and Woods—40.

Those who voted in the negative were,

Messrs. Barritt, Bischof, Brucker, Campbell, Crain, Douglass, Edmonson, Fuller, Geisendorff, Gordon, Greene, Griggs, Hostetter, Hungate, Inman, Kiser, Lopp, Martin, Mason, Moore, Morrison, Montgomery, Prather, Shanks, Shoaff, Skidmore, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Thomas, Van Valkenburgh, Vawter, Williams, Wilson, White, Wolfe, and Mr. Speaker—39.

So the bill failed to pass for want of a constitutional majority.

Mr. McLean, by consent, offered the following resolution :

WHEREAS, Major General Thomas J. Wood, late of the Army of the Cumberland, and a gallant organizer and commander of Indiana troops, now present is ; therefore,

*Be it resolved*, That General Wood be invited to take a seat upon the floor of the House.

Which was agreed to.

Mr. Morrison moved to take House bill No. 267 from the table and place the same on the files.

Which was agreed to.

House bill No. 179. A bill to authorize any person desiring to erect a flouring mill, or other machinery to be propelled by water, on his own land, to erect a dam, or make a race-way above such mill or machinery, on and through land belonging to other persons, and to regulate the assessment and payment of damages therefor, being an act supplemental to article forty-one, chapter one of part second of the Revised Statutes of 1852.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Bobo, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Inman, Kiser, Litson, Long of Jackson, Lopp, Martin, Mason, McClasky, McLean, McMurray, Miller, Moore, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Shanks, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Tebbs, Thomas, Vawter, Wason, Watson, White, Wolfe, Wolflin, Wright, and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. Brucker, Funk, Hungate, Long of Kosciusko, Mont-

gomery, Ross, Shields, Shull, Stackhouse, Thrasher, and Wilson—11.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 201. A bill to provide for the protection of wild and harmless birds on or about the premises, or inclosures of any kind, of another, and declaring the penalty for the violation of this act.

Was read a third time.

Mr. Hughes moved to recommit said bill, with instructions to strike out the word "sap-sucker" wherever the same occurred in said bill.

Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Foulke, Geisendorff, Gordon, Greer, Griggs, Hartman, Hopkins, Honneus, Hudson, Hughes, Hungate, Litson, Long of Jackson, Long of Kosciusko, Martin, McCarthy, McFadin, McLean, McMurray, Miller, Moore, Montgomery, North, Peelle, Prather, Rosser, Shields, Shook, Shoaff, Shuey, Smith of Lagrange, Smith of Wabash, Stackhouse, Tebbs, Thacher, Thrasher, Thomas, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Bischof, Black, Bobo, Crowe, Edmonson, Ferris, Funk, Fuller, Inman, Kiser, Lopp, Mason, McClasky, Ratliff, Ross,

Shanks, Shull, Skidmore, Spencer, Stafford, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White and Wolfe—28.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 233. A bill to fix the time of holding the Courts of Common Pleas in the county of Clinton, and repealing all laws in conflict therewith.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Bobo, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Kiser, Litson, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ross, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—81.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.



*Oreded*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 14. A bill appointing Commissioners to adjust the claims of citizens of the State of Indiana for damages sustained by reason of the raid of the rebel forces under command of John Morgan, in July, 1863, and by all other raids made by rebel forces. Also prescribing some of the powers and duties of said Commissioners, and providing for the payment of the claims adjusted by them, and other matters connected therewith.

Was read a third time.

The amendments heretofore, (to-wit: February 22d,) reported were read and concurred in.

The amendments were ordered to be engrossed.

Mr. Hughes moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Black, Bobo, Corey, Crowe, Danaldson, Douglass, Dunn, Edmonson, Evans, Fuller, Greene, Griggs, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, Martin, McFadin, McLean, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Shanks, Shields, Shook, Shull, Shuey, Skidmore, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Williams, Wilson, White, Wolfe, Wolfer, Wright, and Mr. Speaker—63.

Those who voted in the negative were,

† Messrs. Bischof, Brucker, Campbell, Chambers, Daggy, Ervin, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Hudson, Long



of Kosciousko, Mason, McCarthy, McClasky, McMurray, Smith of Wabash, Thomas, Watson, Wolfliu, and Woods—22.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

Mr. Crowe moved to amend the title of said bill so as to read as follows :

A bill appointing Commissioners to adjust the claims of citizens of the State of Indiana for damages sustained by reason of the raid of the rebel forces under command of John Morgan, in July, 1863, and all other raids made by rebel forces. Also, prescribing the powers and duties of said Commissioners, and providing that they shall report their proceedings, findings, and the facts upon which each claim is founded to the Governor, to be by him submitted to the General Assembly.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Higgins moved that when the House adjourns, it shall adjourn till 9 o'clock to-morrow morning.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

Senate bill No. 198, entitled an act to amend sections 25 and 88 of an act entitled "an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and to provide for jurisdiction and for collection of certain taxes in

the territory aforesaid, and providing for submitting the question of readjusting the boundary lines between the counties of Warren and Fountain to legal voters of those counties.

Senate bill No. 207, entitled "an act requiring certain officers of the State to make reports and providing for the publication thereof."

Senate bill No. 211, entitled a bill to amend an act entitled "an act to amend section 352 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852; approved March 9, 1861.

Senate bill No. 215, entitled a bill for an act to prevent the spread of the disease commonly called "hog cholera," and other diseases, among domestic animals.

In which the concurrence of the House is respectfully requested.

Mr. Hughes offered the following resolution:

*Resolved*, That the principal Clerk of this House is hereby authorized to file all the books, bills and papers of this House upon the adjournment thereof with the State Librarian, taking his receipt for the same, which receipt shall be filed among the other papers and placed upon the Journal; and said Clerk is hereby instructed to make and publish in the Journal a complete calendar of all the bills and joint resolutions of the House of Representatives, for the convenient use of the members in case of an extra session; and that for all such work done after adjournment, such Clerk shall receive \$5 per day, for every day actually employed, the time to be sworn to by him, and certified by the Speaker of the House upon which certificate the Auditor shall issue his warrant, and said Clerk shall be paid out of moneys appropriated for the payment of other moneys appropriated for the payment of other legislature expenses: *Provided* said pay shall not exceed \$25.

Which was agreed to.

Mr. Spencer moved that the House do now adjourn.

Which was not agreed to.

Mr. Bobo offered the following resolution :

*Resolved*, That the use of this Hall be tendered to the Hon. Peter Kiser, of Allen county, for the purpose of delivering a lecture this evening.

Which was agreed to.

House bill No. 258. An act to provide for the judicial decision of the title and use of Square No. 25, in the city of Indianapolis, to quiet controversy concerning the same, and to protect the rights of the State therein.

Was read a third time.

Mr. Hughes moved to make said bill the special order for to-morrow morning at 9 o'clock.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed Senate Joint Resolution No. 2—a joint resolution in relation to a ship canal connecting Lake Erie and Lake Ontario.

On motion by Mr. Greene, the House adjourned.

WEDNESDAY MORNING, 9 O'CLOCK, }  
 March 6, 1867. }

The House met.

On motion by Mr. Fuller, the reading of the Journal, excepting that portion relating to the passage of House bill No. 14, known as the "Morgan Raid Bill," was dispensed with.

The Journal was then approved.

PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Wright,

The petitions from sundry citizens of Pulaski county, asking for a prohibitory liquor law.

Which were referred to the Committee on temperance, without reading.

By Mr. Hamilton,

A claim of Thomas Fost, in relation to grading and paving sidewalks, etc., in the city of Indianapolis, to the amount of \$221 40; and a claim of James Stewart in relation to grading and graveling North street, in Indianapolis, to the amount of \$436 80; and a claim of James and John Hopper, in relation to grading and graveling certain streets and sidewalks, in the city of Indianapolis, Indiana, to the amount of \$1,489.05.

By Mr. Fuller,

A petition from sundry citizens of Warrick county, on the subject of a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hughes,

A petition from sundry citizens of Monroe county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Hays,

A petition from sundry citizens of Owen county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Stewart,

The claim of G. W. Alexander, of Rush county, for services in recruiting for the volunteer service of the United States, in the year 1862.

Which was referred to the Committee on Claims, without reading.

By Mr. Hamilton,

A petition from sundry citizens of Marion county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

By Mr. Black,

A petition from sundry citizens of Madison county, asking for a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Hughes from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 103, have had the same under consideration, and have directed me to report the same back to the House with one amendment, and after being so amended, recommend its passage:

Sec. 2. After the word "claims," in the thirteenth line, insert the words, "knowing the same to be such."

Which was laid on the table.

Mr. Woods, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 321, a bill providing for refunding out of the Treasury of State to Alvah Johnson, a sum of money paid by him in obedience to a judgment of the Vanderburg Circuit Court, in an action in which the State of Indiana was plaintiff, and John W. Johnson and others were defendants, have considered the same, and are of the opinion that the sum of \$478 should be refunded to said Alvah Johnson out of the State Treasury, and have directed me to report said bill back to the House with the recommendation that it be laid on the table, and that the Committee of Ways and Means be instructed to provide in the specific appropriation for the payment of said sum of \$478 to the said Alvah Johnson, out of the State Treasury.

Which was concurred in.

Mr. Daggy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary to whom was referred the resolution on the subject of reclaiming lands which have been submerged by the construction of embankments for railroads, by making culverts across such railroad, have had the same under consideration, and direct me to report, that owing to the fact that the session is drawing to a close, that even if their opinion could be made available, that legislation on the said subject, at this time, would be impracticable; and that the same would be appropriately referred to the Attorney General of this State for his opinion on said subject, and therefore ask to be discharged from the further consideration of said subject.

Which was concurred in.

Mr. Daggy, from the Committee on the Judiciary, made the following report?

MR. SPEAKER:

In response to the resolution of the House requiring the Committee on the Judiciary to report on House bill No. 76, reducing the

penalty on sale of lands for taxes, the Committee have instructed me to say that said bill has never been in their hands, as shown by the Journals of this House.

Mr. Woods, from the Committee on the Judiciary, made the following report :

Mr. SPEAKER :

The Judiciary Committee, to whom was referred Senate bill No. 29—entitled “a bill to define who are competent witnesses in this State, and repealing laws in conflict therewith—have had the same under consideration, and said committee have instructed me to report the same back with one amendment, and when so amended do recommend its passage.

Amend Senate bill No. 29 by striking out all after the enacting clause, and insert the following, to-wit:

Every person of competent age may be a witness in any civil or criminal case or proceeding, and no person shall be disqualified as a witness by reason of interest, in the event of that, or any other action, or because such person is a party in said action or proceeding, other than criminal. Any person party in a civil action may testify in his own behalf, or in behalf of any other party or parties therein, and any one person or party in a suit may compel any other person or party therein to testify under the same regulations as other witnesses may be compelled, and the interest in the suit of any witness shall be regarded only as to his or her credibility, and shall not affect his or her competency.

Sec. 2. Persons insane at the time of examination, children under ten years of age and incapable of properly understanding the facts about which they are examined, husband and wife as to matters for or against each other, or as to communication made to each other during marriage, attorneys at law as to confidential communications from a client, or advice given to such client, physicians as to any matters confided to them in the course of their profession, clergymen concerning any confessions made to them in the course of discipline enjoined by the Church, shall not, in any case, be competent wit-



nesses, unless with the consent of the party making such confidential communication: *Provided*, That in all suits where any executor, administrator, or guardian, is a party in a case where a judgment may be rendered either for or against the estate represented by such executor, administrator or guardian, neither party shall be allowed to testify as a witness unless required by the opposite party, or by the Court trying the cause, except in cases arising upon contracts made with the executor, administrator, or guardian of such estate, and in cases where a party to a suit pending in a Court in this State, whose deposition has been taken in such suit, and is on file in such Court, dies, and such suit is prosecuted by or against the executor or administrator of such deceased party, the opposite party shall be allowed to certify on the trial of the cause, on all mutual points and matters of facts embraced in the deposition, and the other facts, and such deposition may be read in evidence by and on behalf of the representative of such deceased party: *And provided, further*, That in all suits by or against heirs, founded on a contract with or demand against the ancestor, the object of which is to obtain title to or possession of land or other property of such ancestor, to reach or affect the same in any way, neither party shall be allowed to testify as a witness as to any matter which occurred prior to the death of such ancestor, unless required by the opposite party, only the Court trying the cause, and the assignor of the plaintiff, in any such suit where there has been an assignment of the cause of action, shall be deemed and held to be a party within this provision.

Sec. 3. All laws, and parts of laws, now in force and in conflict with the provisions of this act are hereby repealed.

Sec. 4. It is hereby declared that an emergency exists for the immediate taking effect of this act; therefore the same shall be in force from and after its passage.

Which was laid on the table.

Mr McFadin, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No.



94—a bill to provide for the protection of fur bearing animals—have had the same under consideration, and direct me to return the same to the House, and recommend its passage.

Which was laid on the table.

Mr. Ratliff, from the Committee on Education, made the following report :

MR. SPEAKER :

The Committee on Education, to whom was referred Senate bill No. 14—an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws in conflict therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental section thereto—have had the same under consideration, and direct me to report the same back to the House with the following amendments, to-wit :

Amend section one by adding the following provisions :

Said School Trustees shall annually report in writing to the Common Council of the city, or the Trustees of the town, the progress, condition, and wants of the School. Trustees of towns and cities shall be filled by the City Council or Town Trustees.

Amend by striking out sections 12, 16, 17, 18 and 19.

Amend section thirteen by inserting the word “annually” after the word “also.”

Amend section twenty-two by striking out the words “Superintendent of Public Instruction,” and inserting the words “County Examiners,” in lieu thereof, and add the following words: “whose decision shall be final,” and strike out all that portion of the section coming after those words.

Amend section twenty-three by adding after the words “not be admitted,” the following clause: “But it shall be the duty of the

proper Trustee, or Trustees, to transfer them, on their application, to the school selected by them, and all provisions in relation to transfers and taxes in the act to which this is supplemental shall be applicable in case of colored persons, or he shall otherwise provide for their tuition to the extent of their pro rata share of school fund," and, when so amended, recommend its passage.

Which was laid on the table.

Mr. Wright, from the Committee on Claims, made the following report:

MR SPEAKER:

The Committee on Claims, to whom was referred the claims of sundry persons, on account of attendance as witnesses before the Committee on Arbitrary Arrests, during the session of the legislature of 1863, have had the same under consideration, and would recommend that the following claims be allowed:

W. P. Schull.....	\$37 50
Daniel Watson.....	36 30
John Miller.....	36 00
Wm. Armstrong.....	36 75
Jacob Clapper. ....	34 50
Henry Snider.....	34 50
John McMannaman.....	34 50

And that the same be placed in the Specific Appropriation bill for payment.

Which was concurred in.

Mr. Sabin, from the Committee on Fees and Salaries, made the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred Senate bill No. 36, have had the same under consideration, and have directed me to report the same back with the recommendation that the same do pass, without amendment.

Which was laid on the table.

Mr. Thrasher, from the Committee on Roads and Highways, made the following report:

MR. SPEAKER:

The Committee to whom was referred Senate bill No. 38, have examined the same, and direct me to report it back and recommend its passage.

Which was laid on the table.

Mr. Chambers, from the Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 332—entitled an act to amend the eighth section of an act entitled “an act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company,” approved January 4, 1850—have had the same under consideration, and have directed me to report the same back and recommend its passage.

Which was laid on the table.

Mr. Campbell offered the following resolution:

*Resolved*, That the report of the Committee on Public Expenditures, on expenditures of the Executive Department of Indiana, on the resolution of Mr. Kiser, of Allen, which was laid on the table and ordered to be printed, be taken from the table and concurred in by the House.

Mr. Baker moved to make the report the special order for tomorrow morning, at 11 o'clock.

Mr. Shuey moved to lay the motion by Mr. Baker on the table.

Messrs. Baker and McFadin demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Brucker, Campbell, Crain, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Greer, Hamilton, Higgins,  
H. J.—63

Hudson, Hughes, Hungate, Litson, Martin, McCarthy, McClasky, McLean, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—49.

Those who voted in the negative were,

Messrs. Baker, Barritt, Black, Bobo, Carter, Corey, Crowe, Edmonson, Fuller, Greene, Hayes, Honneus, Hostetter, Inman, Kiser, Lopp, McFadin, Morrison, Montgomery, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—30.

So the motion to lay on the table prevailed.

The question being on the resolution, by Mr. Campbell.

It was agreed to.

Mr. Evans, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred House bills Nos. 269, 218, 241, 174, 274, 253, 320, 324, 264 and 280, have had the same under consideration, and direct me to report the same correctly engrossed.

Mr. Stafford, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of W. R. Holloway, State Printer, for \$1,083.53, for printing 2000 copies of German laws, in 1865, have had the same under consideration, and direct me to make the following report:

This printing, it appears, was done by Mr. Holloway without authority of law, and on this ground the Secretary of State refused

to have anything to do with the matter, but by permission the 2000 copies were placed in the cellars of the stationery room at the Secretary of State's office, where they still remain. The committee therefore recommend that the claim be allowed.

Which was not concurred in.

Mr. Thacher, from the Committee on House bill No. 336, made the following majority report :

MR. SPEAKER :

The Special Committee, to whom was referred House bill No. 336—entitled “an act to change the boundary lines of the counties of Shelby and Decatur—have had the same under advisement, and beg leave to report that, in the opinion of a majority of said committee, it is not the policy of this Legislature to change county boundaries without the most manifest necessity. That the policy once commenced, the entire time of the Legislature would be required to make the adjustments of the questions that would be demanded by the different counties of this State. Under the act of the General Assembly of the year 1857, page 192 of 1st Gavin and Hord, parties desiring to have a change of county boundary can procure the same by an application to the County Board of a majority of the legal voters of the premises desired to be changed, describing the same, and when a majority so petition, it is made the imperative duty of the Board to grant the change. So long as this remedy is in the hands of the people, who alone are to be affected by the change, your committee do not deem it expedient to legislate upon the subject. The committee further find that in the county of Shelby there are only thirty-five legal voters within the limits of the territory sought to be detached from said county, a large majority of whom are opposed to this change; and the necessity for attaching them to the jurisdiction of another county, contrary to their consent, is not sufficiently apparent to induce your committee to recommend the same, contrary to the wishes of the parties who, under the law, are alone interested in the change. By the —section of article — of the Constitution of our State, it is not competent for this Legislature to reduce the area of any county to an amount less than four hundred square miles. It is found by the calculation of a skilful practical surveyor, based on the original

“field notes” of the county of Shelby, that said county contains a little less than one-half of one square mile in excess of the constitutional limit, and hence it is not competent for this Legislature to pass the bill in question.

For the reasons set forth herein, and believing that such gratuitous interference with affairs purely local in their character, on the part of this Legislature, where the existing laws furnish the remedy, is in contravention of sound public policy, your committee would most respectfully recommend that the bill lie upon the table.

Mr. Moore, from the same Committee, made the following minority report:

MR. SPEAKER:

The undersigned, a minority of the committee to whom was referred House bill No. 336—entitled “a bill to amend the sixteenth and seventy-second sections of an act defining boundaries of counties, etc., approved ———, 1852, so as to include the whole of the town of St. Paul, in the county of Decatur,”—beg leave to report that they have investigated the matter of the proposed change, and are of the opinion that the interests and prosperity of said town demand the change. The town is cut in two by the present county line which interferes very materially with the establishment of any efficient municipal regulation on account of separate jurisdiction in said town. It also interferes with the educational interests of said town. Being divided it is difficult to establish and maintain good schools. For these and other reasons too numerous to mention, the minority are of the opinion that said bill should pass.

Which was laid on the table.

Mr. Crain, from the Committee on Employees, made the following report:

MR. SPEAKER:

The Committee on Employees of the House, report that they have confirmed Joseph F. Taylor as clerk to the Committee on Printing, from the 16th day of February to the 5th day of March, 1867.

Mr. Daggy offered the following resolution :

WHEREAS, The Committees on State Prisons, at the direction of this House, visited said prisons, and thereby incurred the expenses of said visit. Now, therefore, to reimburse and indemnify the several members of said committes for said expenses so incurred as aforesaid,

*Resolved*, That each member of said committees, who incurred such expenses, be allowed the sum of \$15; and that the Speaker shall testify to such allowance, and the Auditor of State shall draw his order on the State Treasury for the same.

Which was agreed to.

The following resolution, heretofore introduced by Mr. Woods, was taken up :

*Resolved*, That the State Librarian be, and hereby is, instructed to furnish the Speaker, each member and elective officer of the House, one copy of Wilson's Digest of Parliamentary Law.

Mr. Hopkins moved the following amendment :

That every member who desires to take a copy of Wilson's Digest, may have the same furnished him out of the appropriation made in the early part of the session, giving each member \$40 for stationery, etc.

Mr. Hughes moved to amend by adding, "at a price not exceeding two dollars and twenty cents per volume."

Mr. Higgins moved to lay the resolution and amendments on the table.

Messrs. Higgins and Miller demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Blanch, Bobo, Crowe, Dunn, Edmonson, Evans, Foulke, Funk, Fuller, Gordon, Greene, Greer, Griggs, Higgins, Hopkins, Honneus, Hostetter, Hudson, Inman, Long of Kosciusko,



Lopp, Martin, McCarthy, McLean, McMurray, Moore, North, Peelle, Ratliff, Scammahorn, Shoaff, Shull, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Watson, White, Wolfe, Wolfer, Wolfin and Wright—46.

Those who voted in the negative were,

Messrs. Barritt, Belford, Bischof, Campbell, Chambers, Corey, Crain, Daggy, Douglass, Ervin, Ferris, Geisendorff, Hamilton, Hays, Hughes, Hungate, Kiser, Litson, Long of Jackson, Mason, McFadin, Miller, Montgomery, Newcomb, Prather, Ross, Rosser, Shields, Shook, Smith of Lagrange, Stewart, Vawter, Wason, Williams, Woods and Mr. Speaker—36.

So the motion to lay on the table prevailed.

Mr. Chambers, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred engrossed House bills Nos. 172 and 246, have compared the same with the originals, and find the same in all respects accurately and correctly engrossed.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 258, the same was taken up.

House bill No. 258. A bill to provide for the judicial decision of the title and use of Square No. 25 in the city of Indianapolis, to quiet the controversy concerning the same, and to protect the the rights of the State therein.

Having been previously read a third time,

Mr. Hughes, by unanimous consent, offered the following amendment:

Add to the third section the following: *Provided*, That if such court shall determine that said square belongs to any person, or



corporation, other than the State of Indiana, or the city of Indianapolis, it shall be a part of the judgment that the person, or corporation, held to be the owner of such square, shall be required to refund to the city of Indianapolis, and certain residents of said city, the amounts by them respectively expended within the past three years for improving said square, and the amount of such expenditures shall be determined in such suit.

Also, strike out section 5.

Which was agreed to, and said amendment was ordered to be engrossed.

The question being, shall the bill pass?

Mr. Campbell moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Brucker, Chambers, Crain, Daggy, Dunn, Edmonson, Ervin, Ferris, Foulke, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hughes, Hungate, Litson, Long of Kosciusko, Martin, Mason, McClasky, McLean, McMurray, Miller, Moore, Morrison, North, Peelle, Prather, Ratliff, Rosser, Shanks, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Stafford, Tebbs, Van Valkenburgh, Watson, Wilson, Woods, and Mr. Speaker—50.

Those who voted in the negative were,

Messrs. Barritt, Bobo, Campbell, Corey, Crowe, Douglass, Evans, Funk, Fuller, Geisendorff, Gordon, Hostetter, Hudson, Inman, Kiser, Long of Jackson, Lopp, McCarthy, McFadin, Montgomery, Scammahorn, Shields, Spencer, Stackhouse, Stewart, Thacher,

Thrasher, Thomas, Vawter, Wason, Williams, White, Wolfe, Wolfer, and Wright—35.

So the bill failed to pass, for want of a constitutional majority.

Mr. Hughes moved to take up House bill No. 319.

Which was agreed to.

House bill No. 319. A bill authorizing the appropriation of money out of the State Treasury for the use of the State University, located at Bloomington, Monroe county.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Douglass, Dunn, Edmonson, Ervin, Ferris, Foulke, Funk, Geisendorff, Greene, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Koseiusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Stackhouse, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Bobo, Carter, Evans, and Wolfe—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills, to whom was referred Senate bill No. 2, have had the House amendment thereto under consideration, and order me to report the same carefully engrossed.

Mr. Shuey moved to take up Senate bill No. 161.

Which was agreed to.

Senate bill No. 161. A bill to establish a House of Refuge for the correction and reformation of juvenile offenders.

Was read a third time.

The question being, shall the bill pass ?

Mr. Peelle moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put ?

It was so ordered.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Kiser, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Baker, Barritt, Black, Bobo, Carter, Corey, Crowe, Doug-

lass, Edmonson, Fuller, Greene, Greer, Honneus, Hostetter, Hungate, Inman, Long of Jackson, Lopp, McMurray, Montgomery, Shields, Shook, Shull, Stackhouse, Tebbs, Thacher, White, and Wolfe—30.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Miller moved to recommit Senate bill No. 13 to the Judiciary Committee, with instructions to strike out the word "may," in the third line of the first section, and insert the word "shall." Also, by striking out the words "or most convenient," in the eighth and ninth lines of said section.

Mr. Evans, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills would report that they have compared engrossed House bill No. 348 with the original bill, and find the same correctly engrossed.

House bill No. 348. A bill making general appropriations for the years one thousand eight hundred and sixty-seven and one thousand eight hundred and sixty-eight, defining the salaries and official tenure of certain officers, repealing certain laws therein named, and declaring an emergency.

Was read a third time.

Mr. Newcomb, by unanimous consent, offered the following amendment:

For the payment of interest on outstanding University Bonds the sum of three thousand eight hundred and sixteen dollars is appropriated for the year eighteen hundred and sixty-seven, and the same amount for the year eighteen hundred and sixty-eight.

Sec. —. There being an emergency for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which was agreed to, and the amendment was ordered to be engrossed.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Brucker, Campbell, Chambers, Corey, Crain, Daggy, Dunn, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Hughes, Kiser, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Vawter, Wason, Watson, Wilson, Wolfer, Woods, Wright, and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Baker, Barritt, Carter, Crowe, Edmonson, Fuller, Honneus, Hungate, Inman, Lopp, McFadin, Shields, Stackhouse, Tebbs, Thacher, Van Valkenburgh, White, and Wolfe—18.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Messrs. Ross and Douglass obtained leave to record their votes in the negative on the passage of said bill.

Mr. Black moved to take up Senate bill No. 152.

Which was agreed to.

Senate bill No. 152 was then read a second time.

Mr. Griggs offered the following :

I move to amend section 1 of Senate bill No. 152, by adding the following to the end of said section :

“ And all soldiers who entered the service of the United States under the call of the President, for or during the years 1862 or 1863, for three years, or during the war, and who were at the time of enlistment, and are now, residents of the county giving the bounty, and who have received no bounty from any such county, where such soldier has remained in said service until the expiration of the war, or during his term of enlistment, and has been honorably discharged from such service, shall be entitled to one hundred dollars in bounty from such county ; and a tax shall be levied and collected for the payment of such bounties as above provided for: *Provided*, Nothing in this act shall be so construed as to affect any other county than such counties as may have issued the bonds described in the first section of this act.”

Which was agreed to.

Senate bill No. 152, as amended, was then ordered to be engrossed.

House bill No. 334. A bill to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty of the Auditor of State in relation thereto.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Bobo, Brucker, Campbell, Chambers, Daggy, Dunn, Ervin, Evans, Foulke, Funk, Fuller, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hudson, Hughes, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Seammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stack-

house, Stewart, Thacher, Thrasher, Thomas, Wason, Watson, Williams, Wilson, White, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Baker, Honneus, Hostetter, Shields, and Wolfe—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 335. A bill to amend section two of an act to provide a treasury system for the State of Indiana; for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of public moneys.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Bobo, Campbell, Carter Chambers, Corey, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Hungate, Inman, Kiser, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Newcomb, North, Peelle, Ratliff, Rosser, Scammahorn, Shanks, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wilson, White, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—76.

Those who voted in the negative were,

Messrs. Honneus, Long of Jackson, Shields, and Wolfe—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 227 of the Senate, and to present the same for the signature of the Speaker thereto.

Mr. Peelle moved to take up House bill No. 331.

Which was agreed to.

House bill No. 331. A bill requiring the Secretary of State to purchase the paper and other stationery for the public printing of the State; directing the manner of doing the same, and requiring the State Printer to account for all such paper and stationery placed in his hands, and providing compensation to the Secretary of State for his services, and making it the duty of the Attorney General to sue on certain bonds.

Was read a third time.

Mr. Peelle moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?



Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bischof, Black, Bobo, Chambers, Corey, Crain, Crowe, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greene, Greer, Griggs, Hartman, Hays, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Long of Jackson, Lopp, Martin, Mason, McClasky, McFadin, McMurray, Montgomery, North, Peelle, Ratliff, Ross, Rosser, Seammahorn, Stackhouse, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Tebbs, Thacher, Van Valkenburgh, Wason, Watson, Wilson, Wolfe, Wolflin, Woods, and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Belford, Campbell, Daggy, Hamilton, Long of Kosciusko, Moore, Newcomb, Stafford, Thrasher, Thomas, and Wolfer—12.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

Mr. Hostetter offered the following amendment thereto:

Add, in the proper place, " And for the safe keeping of a specimen copy of each document printed for the State."

Which was agreed to.

The title, as amended, was then adopted as the title to said bill.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

The Speaker announced that he had signed Senate bill No. 227.

Mr. Daggy, from the Committee on Education, made the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred Senate

bill No. 117—a bill to amend sections one and ten of an act entitled “an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed”—have had the same under consideration, and direct me to report the same back to the House, and recommend its passage.

On motion by Mr. Ross, the House adjourned.

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TWO O'CLOCK, P. M.

The House met.

Mr. Crowe moved to reconsider the vote by which the House passed the title to House bill No. 14.

Which was agreed to.

Mr. Crowe moved to amend the title to said bill as follows :

Add these words, “and providing compensation for the commissioners and others.”

Which was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Wright moved that House bill No. 344 be referred to the Committee on Claims.

Which was agreed to.

Senate bill No. 93 was read a second time and passed to a third reading.

Mr. Miller, from the Committee on the Judiciary, by consent, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 13—a bill to authorize and provide for changes of venue in civil actions in certain cases—with instructions to amend the same, have considered the same, and amended the same as instructed, and a majority of said committee have directed me to report the same back with the amendment, and as amended recommend its passage:

Strike out the word “may,” in the third line of the first section and insert the word “shall” in lieu thereof. Also strike out the words “or most convenient,” in the eighth and ninth lines of said first section.

Which was laid on the table.

Mr. Miller moved to take up Senate bill No. 13.

Which was agreed to.

Mr. Miller moved to concur in the report of the committee, and adopt the amendments reported.

Mr. Miller moved the previous question,

Which was second by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment by the committee.

It was agreed to.

The amendment was then ordered to be engrossed.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed Engrossed House Joint Resolution

No. 9, with the following amendments as a substitute therefor, to-wit :

House Joint Resolution No. 9, entitled a joint resolution establishing military agencies for collecting bounties, back pay and pensions due to soldiers, and soldiers widows and orphans.

Also, that the Senate has passed Senate bill No. 245, entitled an act to repeal section 131 of an act entitled "an act to provide for a general system of common schools, the officers thereof and their powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed."

Senate bill No. 236, entitled an act fixing the time of holding the courts in the 10th Judicial Circuit, changing the length of term in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.

Senate bill No. 242, entitled an act to amend section five of an act to amend an act entitled an act for incorporating the Wabash Manual Labor College and Teacher's Seminary, approved February 8, 1851.

In which the concurrence of the House is respectfully requested.

I am also directed by the President of the Senate to inform the House, that enrolled Senate act No. 227, has been transmitted to the Governor of the State for his signature thereto.

#### HOUSE BILLS ON THIRD READING.

House bill No. 19. A bill to regulate and make uniform the prices charged by railroad companies for transporting goods, merchandise and material, to and from stations on railroads in this State.

Was read a third time.

Mr. Woods moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischoff, Bobo, Brucker, Campbell, Chambers, Corey, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greene, Greer, Griggs, Hamilton, Honneus, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, McCarthy, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Prather, Ratliff, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Williams, Wilson, White, Wolfe, Wolfer, Wolfli, Woods and Wright—62.

Those who voted in the negative were,

Messrs. Black, Edmonson, Fuller, Hays, Hostetter, Hudson, McLean, Peelle, Ross, Scammahorn, Shull and Mr. Speaker—12.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Bobo moved to take up Senate bill No. 236.

Which was not agreed to.

House bill No. 235. A bill to amend the eighty-fourth section of an act entitled an act repealing all general laws now in force for the incorporation of cities, providing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, approved December, 1865.

Was read a third time, and on motion, was laid on the table.

House bill No. 243. A bill prescribing the manner in which railroad corporations within this State may be consolidated

with railroad corporations within or without this State, prescribing penalties for the violation of this act and declaring an emergency therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were

Messrs. Baker, Bischof, Black, Brucker, Campbell, Chambers, Crain, Daggy, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Higgins, Honneus, Hostetter, Hudson, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Rosser, Scammarhorn, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Van Valkenburgh, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—62.

Those who voted in the negative were,

Messrs. Corey, Crowe, Edmonson, Hamilton, Montgomery, Ross, Shields, Shull, Stackhouse. Tebbs and Thacher—11.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 259. A bill to amend the 27th section of an act entitled an act defining felonies and prescribing punishment therefor, approved June 10, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Black, Bobo, Brucker, Campbell, Carter,

Chambers, Corey, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greer, Griggs, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Morrison, Montgomery, North, Peelle, Prather, Ratliffe, Ross, Rosser, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—80.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 153. A bill to amend section fifteen of an act to create a State Normal School, and declaring an emergency, approved December 20, 1865.

Was read a third time.

The amendment heretofore reported was read.

Mr. Wolfe moved to lay the amendment on the table.

Mr. Miller moved to amend by laying the whole subject on the table.

Messrs. Wolfe and Baker demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Brucker, Campbell, Foulke, Higgins, Hughes, Litson, Miller, Moore, Newcomb, Peelle, Prather,

Shuey, Skidmore, Stafford, Stewart, Wason, Wolfli, Wright, and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Baker, Carter, Chambers, Corey, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Evans, Ferris, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hamilton, Hays, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Long of Jackson, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Montgomery, North, Rosser, Scammahorn, Shields, Shook, Shull, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, Wilson, Wolfe, Wolfer, and Woods—55.

So the motion to lay on the table did not prevail.

The question being on the adoption of the amendment reported by the Committee on Education.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed House bill No. 277, to-wit :

House bill No. 277, entitled a bill to amend section one of an act to amend sections one hundred and twenty-three and one hundred and thirty-six of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State," approved June 21, 1852, and to repeal sections one hundred and thirty-eight, one hundred and thirty-nine and one hundred and forty of said act, approved June 3, 1861, to which the Senate has passed the following engrossed amendments thereto, to-wit :

Strike out the words "third Monday of April," where they occur in the third section, and insert the "second Monday of May."



Also, that the Senate has passed the following Engrossed bills thereof, to-wit:

Senate bill No. 220, entitled an act to amend sections ninety-four and ninety-six of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of township assessors, and prescribing the duties of assessors, appraisers of real property, county treasurers and auditors, and the Treasurer and Auditor of State.

Senate bill No. 237, entitled an act creating the Nineteenth, Twentieth and Twenty-First Judicial Circuits, and providing for the election of judges and prosecuting attorneys therein, and providing compensation therefor, declaring the jurisdiction of said courts, and providing for a transfer of actions thereto.

Senate bill No. 244, entitled an act creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

In which the concurrence of the House is respectfully requested.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of House bill No. 342,

The same was taken up.

The question pending was the following amendment, offered by Mr. Prather:

Strike out all of section two after the word "aforesaid," in line six of said bill.

Mr. Hughes moved to lay the amendment, by Mr. Prather, on the table.

Messrs. Hughes and Belford demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Evans, Funk, Griggs, Higgins, Hopkins, Hudson, Hughes, Hungate, Litson, Martin, McClasky, North, Peelle, Ratliff, Shuey, Skidmore, Smith of Lagrange, Stewart, Thrasher, Wason, Wilson, Wright, and Mr. Speaker—23.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Black, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Crowe, Daggy, Douglass, Dunn, Ervin, Ferris, Geisendorff, Gordon, Greene, Greer, Hartman, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Long Kosciusko, Lopp, Mason, McCarthy, McMurray, Miller, Moore, Newcomb, Prather, Ross, Rosser, Shields, Shook, Shoaff, Shull, Smith of Wabash, Spencer, Stafford, Tebbs, Thacher, Thomas, Van Valkenburgh, Watson, Williams, White, Wolfe, Wolfer, and Woods—56.

So the motion to lay on the table did not prevail.

The question being on the amendment offered by Mr. Prather.

Mr. Newcomb moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on adopting the amendment.

It was agreed to.

Mr. Newcomb offered the following amendment:

Amend section one by striking out from lines two and three, the following words: "to appoint a commission to consist of not more than three discreet persons whose duty it shall be."

Mr. Lopp offered the following amendment to Mr. Newcomb's motion:

Amend section one by striking out all of said section between the word "that," in the first line, and the word "proceed" in the third line, and insert "it shall be the duty of the Agent of State to."

Mr. Woods moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the adoption of Mr. Lopp's amendment.

It was not agreed to.

The question being on the amendment offered by Mr. Newcomb.

Mr. Miller being in the chair.

Messrs Branham and McFadin demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Black, Bobo, Campbell, Chambers, Crowe, Daggy, Danaldson, Douglass, Ervin, Evans, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hays, Hopkins, Hostetter, Kiser, Long of Jackson, Lopp, McCarthy, McClasky, Miller, Newcomb, Prather, Rosser, Seammahorn, Shields, Shook, Shoaff, Shull, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thomas, Watson, Williams, White, Wolfer, Woods and Wright—50.

Those who voted in the negative were,

Messrs. Dunn, Higgins, Honneus, Hudson, Hughes, Hungate, Inman, Litson, Martin, McFadin, McLean, McMurray, Moore, North, Peelle, Ratliff, Ross, Shuey, Smith of Lagrange, Thrasher, Van Valkenburgh, Wason, Wilson, Wolfe, Wolflin and Mr. Speaker—26.

So the amendment was not agreed to

Mr. Hughes moved to lay the whole subject on the table.

Messrs. Higgins and Ratliff demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Bobo, Carter, Corey, Edmonson, Gordon, Hays, Higgins, Honneus, Hostetter Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, Martin, Moore, Shields, Shull, Stackhouse, Stafford, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, Wolfe and Mr. Speaker—33.

Those who voted in the negative were,

Messrs. Belford, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Ferris, Foulke, Funk, Geisendorff, Greene, Griggs, Hartman, Hopkins, Hudson, Long of Kosciusko, McCarthy McClasky, McLean, McMurray, Miller, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shook, Shoaff, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thrasher, Thomas, Wason, Watson, Wolfer, Wolflin, Woods and Wright—47.

So the motion to lay on the table did not prevail.

Mr. Woods moved that when the House adjourns it adjourn to meet this evening at 7 o'clock.

Which was agreed to.

Mr. Newcomb moved to recommit the bill and amendments to the Committee on Ways and Means.

Mr. Hughes moved to indefinitely postpone the whole subject.

Mr. Hughes moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

Messrs. Hughes and Newcomb demanded the ayes and noes

Those who voted in the affirmative were,

Messrs. Baker, Black, Carter, Corey, Danaldson, Douglass, Edmonson, Ferris, Foulke, Fuller, Geisendorff, Greer, Griggs, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, Martin McFadin, McLean, Moore, Morrison, North, Peelle, Ratliff, Ross, Scammahorn, Shields, Shook, Shoaff, Shull, Shuey, Smith of Lagrange, Stackhouse, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Williams, Wilson, White, Wolfe and Mr. Speaker—52.

Those who voted in the negative were,

Messrs. Belford, Bobo, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Ervin, Funk, Gordon, Hartman, Hamilton, Hopkins, McCarthy, McClasky, McMurray, Miller, Newcomb, Prather, Rosser, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thomas, Watson, Wolfer, Wolflin, Woods and Wright—32.

So the motion to indefinitely postpone prevailed.

The question being, at the time of the special order for the day, the motion to concur in the amendment, reported by the Committee on Education, to House bill No. 153.

Mr. Wolfe moved to lay the amendment on the table.

Messrs. Wolfe and Van Valkenburgh demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Black, Bobo, Carter, Douglass, Edmonson, Fuller, Gordon, Greer, Higgins, Honneus, Hudson, Inman, Kiser, Litson, Long of Jackson, Lopp, McFadin, Newcomb, Shull, Shields, Spencer, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, Wilson, White, Wolfe, Wright, and Mr. Speaker.—33.

Those who voted in the negative were,

Messrs. Belford, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk,

Geisendorff, Greene, Griggs, Hartman, Hamilton, Hostetter, Hughes, Hungate, Long of Kosciusko, Martin, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Morrison, North, Prather, Scammahorn, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Stackhouse, Stewart, Thrasher, Thomas, Wason, Watson, Wolfer, Wolflin, and Woods—48.

So the motion to lay on the table did not prevail.

Mr. Thacher moved that the House do now adjourn.

Which was not agreed to.

Mr. Miller moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Daggy, Danaldson, Dunn, Evans, Foulke, Geisendorff, Gordon, Greene, Greer, Hartman, Hostetter, Hudson, Litson, Lopp, Martin, McLean, McMurray, Moore, Morrison, Ratliff, Rosser, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Tebbs, Thacher, Thomas, Vawter, Wilson, White, Wolfer, and Wolflin—36.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Black, Brucker, Campbell, Carter, Corey, Crain, Crowe, Douglass, Edmonson, Ervin, Ferris, Funk, Griggs, Hamilton, Hays, Higgins, Honneus, Hungate, Inman, Kiser, Long of Jackson, McCarthy, McClasky, McFadin, Miller, Newcomb, Peelle, Prather, Ross, Scammahorn, Shields, Shoaff, Smith of Lagrange, Stackhouse, Stafford, Stewart, Thrasher, Van Valkenburgh, Wason, Watson, Williams, Wolfe, Woods, Wright, and Mr. Speaker—48.

So the bill did not pass.

On motion by Mr. Ross, the House adjourned.

SEVEN O'CLOCK, P. M.

The House met.

On motion by Mr. Miller, Senate bills on second reading were taken up.

#### SENATE BILLS ON SECOND READING.

Senate bill No. 4. A bill to establish a Home for the maintenance of sick and disabled Indiana soldiers.

Was read a second time.

The amendments heretofore reported were read and agreed to.

Mr. Higgins moved to amend by striking out all in relation to purchasing more ground.

Mr. Campbell moved to lay the amendment by Mr. Higgins on the table.

Which was not agreed to.

The question being on the amendment offered by Mr. Higgins.

Mr. Litson moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

Messrs. Litson and Chambers demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Black, Bobo, Brucker, Crowe, Edmonson, Funk, Fuller, Gordon, Greene, Higgins, Honneus, Hudson, Hungate, Inman, Kiser, Long of Jackson, Martin, McFadin, McMurray, Morrison, Ratliff, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Thrasher, Vawter, Watson, Williams, White, Wolfe, Woods, Wright, and Mr. Speaker—35.

Those who voted in the negative were,

Messrs. Barritt, Campbell, Chambers, Corey, Crain, Daggy, Dunn, Ferris, Foulke, Geisendorff, Greer, Griggs, Hamilton, Hopkins, Hostetter, Litson, Long of Kosciusko, Mason, McCarthy, McClasky, Miller, Moore, North, Peelle, Prather, Rosser, Scammarhorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thomas, Wilson, and Wolfer—38.

So the amendment was not agreed to.

*Ordered*, That the amendment be engrossed and passed to a third reading.

Mr. Long, of Kosciusko, moved to take up Senate bill No. 46.  
Which was agreed to.

Senate bill No. 46. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this bill, and prescribing penalties for the violations thereof.

Was read a second time.

The amendments heretofore reported were read.

Mr. Spencer moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the amendment proposed by the Committee on Temperance.

It was not agreed to.

Mr. Woods moved to amend said bill as follows:

Amend section nine by striking out the words "on Sunday nor."  
Which was not agreed to.

Senate bill No. 46 was then passed to a third reading.



Mr. Shoaff moved to take up Senate bill No. 105.

Which was agreed to.

Senate bill No. 105 was read a second time, and passed to a third reading,

Mr. Hughes moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read Senate bill No. 105 now.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Barritt, Black, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Daggy, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Litson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, Miller, Moore, Morrison, Newcomb, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shoaff, Shull, Shuey, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods, and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. Edmonson, Fuller, Inman, Shoaff, Skidmore, and Wright—6.

So it was deemed expedient to suspend the constitutional rule.

Senate bill No. 105. A bill to amend section five of an act entitled "an act providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, approved June 1, 1852, and providing for Civil and Criminal Circuit Courts, approved December 1865,"

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Black, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Crowe, Daggy, Dunn, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, McCarthy, McClasky, McFadin, Miller, Moore, Newcomb, Peelle, Prather, Ratliff, Rosser, Shanks, Shields, Shook, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Stewart, Tebbs, Thrasher, Thomas, Vawter, Watson, Williams, Wolfe, Wolfer, Woods, and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Edmonson, Greene, Lopp, Scammahorn, Spencer, Stackhouse, Thacher, Wilson, White, and Wright—19.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Hudson,

Senate bill No. 174—a bill for the relief of Peter Wells and Benoni Wells,

Was taken up, read a second time, and passed to a third reading.

On motion by Mr. Hopkins,

Senate bill No. 154—a bill to revise and amend the sixteenth section of an act entitled “an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,” approved January 27, 1847.

Was taken up, read a first time, and passed to a second reading.

Senate bill No. 143 was read a second time and passed to a third reading.

Senate bill No. 40. A bill defining what counties shall constitute the Thirteenth Judicial Circuit.

Was taken up, on motion by Mr. Watson, and read a third time.

Mr. Peelle moved to amend as follows :

Blackford Circuit Court to be held on the second Mondays in April and October.

Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Black, Bobo, Brucker, Campbell, Carter, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, Miller, Moore, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Seammahorn, Shook, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thacher, Thrasher, Thomas, Vawter, Watson, Wilson, White, Wolfe, Wolfer, Wolfin, Woods and Mr. Speaker—69.

Mr. Edmonson voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Barritt obtained leave of absence for the remainder of the session.

Mr. Thacher moved to take up Senate bill No. 191.

Which was agreed to.

Senate bill No. 191. A bill supplemental to an act entitled an act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Black, Bobo, Brucker, Campbell, Carter, Corey, Crowe, Daggy, Douglas, Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greene, Greer, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin McCarthy, McClasky, McFadin, Miller, Moore, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Shanks, Shields, Shook, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Tebbs, Thatcher, Thrasher, Thomas, Vawter, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods, Wright and Mr. Speaker—72.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Bird obtained leave of absence on account of sickness in his family.

Mr. McClasky moved to take up Senate bill No. 242.

Which was agreed to.

Senate bill No. 242. A bill to amend section five of an act to amend an act entitled an act for incorporating the Wabash Manual Labor College and Teacher's Seminary, approved February 8, 1851.

Was read a first time and passed to a second reading.

Mr. Woods moved to take up Senate bill No. 29.

Which was agreed to.

Senate bill No. 29. A bill defining who shall be competent witnesses in any court or judicial proceeding in this State and to repeal all laws and parts of laws in conflict with the provisions of this act.

Was read a second time.

The amendments heretofore reported were read and agreed to.

The bill was passed over informally.

Mr. Evans obtained leave of absence on account of sickness in his family.

Mr. McFadin moved that the House do now adjourn.

Which was not agreed to.

Mr. Vawter moved to take up Senate bill No. 125.

Which was agreed to.

Senate bill No. 125. A bill to declare abandoned certain unfinished railroads, and to provide for their completion, to declare forfeited the franchise of certain railroad companies, and for the assessment of the value thereof, for the organization of new companies, and for making annual statements.

The amendments heretofore reported were read and agreed to.

The bill was then read a second time and passed to a third reading.

On motion by Mr. Wilson, the House adjourned.

THURSDAY MORNING, 9 o'clock, }  
March 7, 1867. }

The House met.

On motion by Mr. Peelle, the reading of the Journal was dispensed with.

Mr Hamilton presented the claim of Will W. Dougherty, for work at extra session, 1865; amount \$10.

Which was referred to the Committee on Claims, without reading.

Message from the Governor, by Mr. Commons, his Private Secretary.

MR. SPEAKER:

I am directed by the Governor to transmit herewith a message, accompanied by the report of General John L. Mansfield, in relation to the case of Daniel Harrison, of Pike county.

EXECUTIVE DEPARTMENT, }  
INDIANAPOLIS, March 6, 1867. }

*To the Senate and House of Representatives:*

It affords me pleasure herewith to transmit to the General Assembly the report of Gen. John L. Mansfield, of the result of his mission to the State of Mississippi, to procure the release of Daniel Harrison. The object of the Joint Resolution of the General Assembly was fully accomplished by Gen. Mansfield, and I cannot refrain from expressing my high appreciation of the skill and ability with which he performed the duty assigned him.

CONRAD BAKER.

*His Excellency, Conrad Baker, Governor of Indiana:*

SIR:—The General Assembly of the State of Indiana having instructed your Excellency in a Joint Resolution of February 22, to send to the State of Mississippi an accredited agent to take steps for

procuring the protection and release of Daniel Harrison, who was recently delivered upon requisition to the executive authority of that State, you were pleased to honor me with that mission.

I have performed my task, and beg leave to submit to you the following report :

On my arrival at Evansville, February 23, I met Messrs. Richard Gladish, William H. Gladish, and Robert Willis, neighbors of Mr. Harrison, who had been advised of my arrival by General Shackelford. These gentlemen I took with me to Macon, Mississippi, for the purpose of establishing by their evidence the alibi of Harrison, and the fact of his having been mistaken for another man when arrested.

After various delays, in consequence of the high water, we were compelled to travel by way of Memphis, and did not arrive in Macon until 3 A. M. of the first of March. On the same day I produced my credentials, and was admitted to the bar as one of the counsel for the defence. But before all of the evidence which I had adduced had been heard by the court, Colonel Inge, one of the attorneys for the prosecution, withdrew, in a very appropriate manner, the charges preferred against Harrison, and admitted that he had got the wrong man. The court adjourned, and the members of the bar, and a number of the citizens of Macon congratulated Mr. Harrison upon his full and complete vindication. In return I offered thanks for myself, and in behalf of those I had come to represent, for the kind treatment which Mr. Harrison and his friends had received during their stay at Macon, and for the speedy and impartial trial of this case.

Mr. Harrison has been advised by gentlemen residing in Macon, and by myself, to bring suit against those who have caused his arrest. He returned with me to Indiana, but will follow our advice, and I doubt not of his obtaining ample redress for the wrong he has suffered.

Permit me to say, in addition to the above, that it appears, upon a closer investigation of this case, that the Southern Express Company of Mississippi had offered a reward for the apprehension of the person, or persons, who had committed the robbery at Macon, having especial reference to a man who passed under the name of J. W. Smith, and was seen at Macon at the time the robbery was committed.



A detective recognized, or pretended to recognize, this Smith in the person of Harrison. A slight resemblance in the appearance of these two persons led to affidavits of identity, and a requisition was obtained from the Governor of Mississippi, at the instance of the Southern Express Company.

Mr. Harrison stated to me that a citizen of Macon, by the name of Johnson, and two detectives from Chicago, obtained possession of his person at Evansville, which place he had visited for the transaction of business. During his confinement in the Evansville jail, he requested the Sheriff to call General Shackelford, a practicing attorney. On his appearance, the Sheriff took Mr. Harrison from his cell to a private room, to confer with the General.

After a short consultation, General Shackelford requested the Sheriff to retain Mr. Harrison for a few minutes in that room, until he could return with an affidavit, and then left. The Sheriff, however, instantly removed Mr. Harrison to his cell, and disappeared from his sight.

Soon after, and before the return of General Shackelford, Mr. Johnson and the two detectives appeared at the cell, and removed Mr. Harrison with great haste to the bank of the Ohio river, forced him into a skiff, and ferried him through masses of floating ice to the Kentucky side. Mr. Johnson has subsequently stated under oath, in open court, at Macon, that the Sheriff of Vanderburgh county had occasioned this hasty removal by saying to him, "If you do not remove your prisoner instantly, he will be taken away from you."

In conclusion, I have to say to your Excellency, that Mr. Harrison, and his father, Otho Harrison, desire me to offer you their sincere thanks for the lively interest you have manifested in relieving them from their distress. They have also requested me to express their profound obligations to the members of the General Assembly for having protected with paternal care the rights of an humble citizen of the State of Indiana.

I have the honor to be,

Your obedient servant,

JOHN L. MANSFIELD.

Indianapolis, March 6, 1867.



Mr. McMurray, from the Committee on Public Expenditures, made the following report:

MR. SPEAKER:

The Committee on Public Expenditures beg leave to submit the following report:

They have examined and compared the appropriation bills of 1865 and 1866, and the general expenditures of the State, with a view of ascertaining whether the money has been applied according to law.

This examination embraces all expenditures up to the end of the fiscal year October 31, 1866.

They find that the appropriations made for Legislative, State Library, Contingent, Miscellaneous, Asylum for the Deaf and Dumb, Hospital for the Insane, Institution for the Blind, Fuel and Stationery, Governor's House, Governor's Office, Secretary of State, Auditor of State, Treasurer of State, Superintendent of Public Instruction, Attorney General, Adjutant General, Superintendent of Public Instruction's traveling expenses, Agent of State, Military Contingent, Civil Contingent, and Telegraphing purposes, have not been entirely expended, and that there remains to each of the accounts named an unpaid balance.

They find that in the matter of the accounts for Distribution of Laws, Indiana Reports, Expenses of Supreme Court, Executive Offices, Prosecuting Attorneys, Judiciary, and State House, an over payment above the amount of specific appropriations, and this is accounted for by the Auditor of State, because payments have been made under the general law.

The account of the State Prison South is overdrawn, on account of the fire which occurred there, \$6,722.63. (See Governor's Message.)

The account of the State Prison North is overdrawn \$13,670.62. On whole appropriation for buildings, etc., this sum is reduced to the amount of \$7,000.

Sheriffs' mileage account is overdrawn \$68.72.

In the item of public printing, the order and resolution of the last Legislature, authorizing the publication of the Adjutant General's report, consisting of seven volumes, of 4,500 copies each, at \$1.90 per volume, makes an amount of \$59,850, which, added to

the appropriations made for public printing, leaves a balance in the State Treasury in favor of the fund.

We have examined and compared the vouchers and receipts for warrants on file in the office of the Auditor of State, from the 31st day of October, 1864, to the present time, and find them regularly and correctly kept.

The Special Committee, to whom was referred Senate bill No. 37, made the following report :

MR. SPEAKER :

The Special Committee, to whom was referred engrossed Senate bill No. 37, entitled "an act repealing all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the following amendments, and when so amended recommend the passage of the bill.

Amend by striking out all of section eight, and insert in lieu thereof the following :

The officers of such city shall consist of a Mayor, two Councilmen from each ward, a City Clerk, Assessor, Treasurer, Civil Engineer, Street Commissioner, and Marshal, and if the Common Council deem it expedient for the best interest of the city, a City Attorney, and City Judge. The City Attorney, Street Commissioner, and Civil Engineer shall be appointed by the Common Council: *Provided*, That the Common Council may dispense with the Street Commissioner and require the Marshal to perform his duties, and such officers shall hold their respective offices for two years, and until their successors are elected and qualified, except as herein provided. After the first general election on the first Tuesday in May, said officers shall respectively hold their offices as follows, to-wit: The Mayor, City Judge, Clerk, Assessor, Marshal, and Treasurer, two years each; the City Attorney, Street Commissioner, and Civil Engineer, two years each, subject to removal by said Common Council at their pleasure, and the Councilmen shall

be chosen by the legal voters of their respective Wards, and one Councilman from each Ward, to be determined by lot at the first regular meeting after this election, shall hold his office one year, and the other, to be determined in like manner, shall hold his office two years, and annually thereafter one Councilman shall be elected by the legal voters of each Ward, and all of said officers shall hold their respective offices during their respective terms, and until their successors are elected and qualified. The said Clerk, Assessor, Treasurer, and Marshal, with the consent of the Common Council, may appoint one or more deputies when necessary: *Provided, further,* That the Common Council of any city governed by the provision of this act, may order the election of an Auditor, who shall be elected as other city officers are elected, and shall hold his office for two years, and until his successor is elected and qualified, and when so elected the Common Council shall by ordinance provide for his qualifications, powers, and duties, which shall in no measure conflict with the provisions of this act: *And provided, further,* That no person shall hold the office of Councilman unless he is a resident of the Ward from which he is elected, and in case of the removal of any Councilman from the Ward from which he was elected, the Common Council shall have power to declare the office vacant, and order a special election to fill such vacancy.

Add to chapter seven, section thirty, after the word "costs," in the last line thereof, the following words, to wit:

The City Attorney shall be allowed a docket fee in all cases tried before the Mayor or City Judge for violation of the city ordinances, or upon appeals from the judgement of the Circuit or Common Pleas Court, when he appears in person or by deputy, as follows, to-wit:

Docket fees, before the Mayor or City Judge, on a plea of "guilty," two dollars; docket fee, before the Mayor or City Judge, upon a plea of "not guilty," four dollars; docket fee in cases in the Circuit Court, or Court of Common Pleas, upon appeal, on a plea of "guilty," ten dollars and fifty cents; docket fee in cases in the Circuit Court, or Court of Common Pleas, on appeal, upon a plea of "not guilty," five dollars.

Add to section eighteen, after the word "cost," in the last line thereof, the following words, to-wit:

The Mayor, or City Judge, shall draw no salary from the city treasury until he shall have filed with the City Clerk, or Auditor, a relinquishment and transfer to such city of all taxable fees allowed him by law, in cases cognizable before him for alleged violations of the ordinances or by law of such city.

Add to section twenty-six the following provision, to-wit:

Provided, however, that instead of adopting as the basis of assessment of taxes upon the real estate in any city, as provided in this section, the Common Council of any city may, by ordinance, order and direct an appraisement of the real and personal property within the limits of such city to be made, and provided that such appraisement shall be the basis of the assessment of taxes upon such real estate for one year, anything in this section to the contrary notwithstanding.

Strike out of the second clause of section fifty-three, the words "State and county or," in the fifteenth and sixteen lines of said clause of said act.

Add to the word "hundred," in the thirteenth line of section fifty-one, the words "and fifty," and strike out of said section all of said section after the word "on," in the fifteenth line of said section.

Add to section fifty-eight, after the word "city," in the last line of said section, the following words, to-wit:

There may also be levied and collected, annually, an additional tax to pay the whole interest of the public debt due from said city.

Add to the twenty-second clause of section fifty-three, after the word "matter," the following words, to-wit:

The Common Council shall have the right to collect the expenses of removing any such unwholesome substance, putrid

animal or vegetable matter, from the premises of the person found guilty of a violation of the provision of the ordinance of such city in relation thereto, with ten per cent. damages thereon, and cost of suit.

Add to section sixty, after the word "thereof," in the tenth line of said section, the following, to-wit:

Owning one-half of the real estate within the limits of such city, as estimated and valued upon the tax duplicate of such city for taxable purpose.

Add after the last line of section fifty-three, the following, to-wit:

The Common Council of any city may, upon the petition of a majority of the legal voters of such city, sell any public square of such city, or any part thereof, and convey the same by deed under the hand of the Mayor and seal of such city, and any money arising from any such sale shall be deposited in the treasury of such city, to be expended in the purchase of another public square, and for the improvement of the same.

Which, on motion, was made the special order of the day for two o'clock this afternoon.

Mr. Hartman, from the Committee on Mileage and Accounts, made the following report:

MR. SPEAKER:

The Committee on Mileage and Accounts would respectfully report that there is mileage due Mr. Newland for two hundred and twenty-six miles, as a member of the House of Representatives, he having not been included in the former report of the committee.

Which was concurred in.

Mr. Griggs introduced

House Joint Resolution No. 27. A joint resolution instructing our Senators and requesting our Representatives to act against the

confirmation of all appointments made by the President or hereafter made, unless they are known to be tried Republicans.

Which was read a first time, and referred to the Committee on Federal Relations.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Senate bill No. 200, entitled a bill approving the action of Thomas B. McCarthy, Auditor of State, in settling and saving to the State of Indiana, \$2,262.08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State.

In which the concurrence of the House is respectfully requested.

Also, that the Senate has passed Engrossed House bill No. 262, entitled a bill to amend sections two and six of an act entitled "an act to incorporate the Widows and Orphans Asylum of Indianapolis."

Mr. Higgins introduced

House Joint Resolution No. 28. A joint resolution relative to an appropriation for improving the Harbor at Michigan City:

*Resolved by the General Assembly of the State of Indiana, That the Senators of the State of Indiana in the United States Senate be and they are hereby instructed, and the Representatives of the State of Indiana in Congress of the United States be and they are hereby requested to use their official influence to procure from the Government of the United States an appropriation for improving the Harbor at Michigan City in this State.*

Which was read a first time and passed to a second reading.

Mr. Shoeff offered the following resolution:

*Resolved by the House of Representatives, the Senate concurring, That Monday, the 11th instant, at 12 o'clock, at noon, be, and the*



same is hereby fixed, as the time at which the present session of the General Assembly shall adjourn *sine die*.

Mr. Miller moved to lay the resolution on the table.

Which was agreed to.

Mr. Baker offered the following resolution:

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring*, That we are now, as heretofore, unalterably opposed to all schemes looking to a destruction of the union of States, under the Federal Constitution; that we regard, with extreme disfavor, all propositions, the objects of which are to deprive some of the States of this Union of many of their rights and dignities reserved to them under the Constitution of the Federal Union; and particularly do we denounce, as unconstitutional, revolutionary, and dangerous to liberty, the recent actions of Congress, in passing an act known as the "Military Bill," whereby it is sought to reduce ten States of this Union to a Territorial condition.

Which was referred to the Committee on Federal Relations.

Mr. Crain moved to take up the following concurrent resolution heretofore reported from the Committee on Railroads:

1. *Resolved by the House of Representatives, the Senate concurring therein*, That a committee of one, on the part of the Senate, and two, on the part of the House of Representatives, be appointed, with power to sit during the vacation of the Legislature, and inquire into and thoroughly investigate whether any of the railroad companies of this State, operating under special charters, are chargeable with any portion of their earnings and profits that should be paid into the State Treasury for the use of common schools.

2. That said committee shall examine into and ascertain and report what legislation is necessary to protect the citizens of the State against unreasonable charges for transporting local freight and passengers over the railroads of the State.

3. Said committee is hereby authorized to employ a clerk, and shall have power to send for persons and papers, compel the attend-

ance of witnesses, and to administer all oaths to witnesses; and shall have power, with the approval of the Governor, to settle with any railroad company found to have money in its possession properly payable into the Common School Fund; or may, with like approval of the Governor, cause suits to be brought to compel any delinquent railroad company to pay over any money in its possession belonging to the Common School Fund by the terms of its charter, to the proper authority for the use of common schools.

4. The said committee shall, at as early a day as practicable, make a full and complete report of their doings and conclusions in the matters referred to them to the Governor of the State, who shall lay the same before the legislature, at the next session thereof.

5. The members of said committee, and their clerk, shall each be allowed and receive, in full compensation for their services, five dollars per day for the time actually employed, and their reasonable traveling expenses, warrants for which shall be drawn on the Treasurer of State by the Auditor of State upon the certificate of the Chairman of said committee filed in his office.

Mr. Crain moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being, shall said concurrent resolution pass?

Messrs. Wolfe and Thacher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Brucker, Campbell, Crain, Douglass, Gordon, Hartman, Higgins, Honneus, Hughes, Long of Jackson, Miller, Ratliff, Ross, Shields, Shuey, Smith of Lagrange, Van Valkenburgh, Wason, Williams, Woods, and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Black, Blanch, Bobo, Carter, Chambers, Crowe, Daggy, Dunn, Edmonson, Ervin, Ferris, Foulke,



Funk, Fuller, Geisendorff, Greer, Hamilton, Hopkins, Hostetter, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, North, Peelle, Prather, Rosser, Scammahorn, Shanks, Shook, Shoaff, Shull, Skidmore, Smith of Wabash, Stackhouse, Stafford, Stewart, Thacher, Thrasher, Thomas, Vawter, Watson, White, Wolfe, Wolfer, and Wright—59.

So the resolution was not agreed to.

Mr. Shuey offered the following resolution :

*Resolved*, That, for the remainder of this week, no member be allowed to speak more than five minutes at one time.

Which was agreed to.

Mr. Hostetter offered the following resolution :

*Resolved*, That the Librarian is hereby directed to take charge of any documents, for safe keeping, placed in his hands by the Printer of State, as required by law.

Which was agreed to.

Mr. Miller moved to take up Senate bill No. 102, a bill to provide for the custody and management of the notes, bonds, and mortgages arising directly out of laws heretofore made by the Board of Sinking Fund Commissioners; to continue in force all the laws, or parts of laws, in force on the 20th day of January, which are applicable to said loans and the securities therefor; to clothe the Auditor of State with the powers, and subject him to the duties, in relation to said loans and the securities therefor, which, by said laws, are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and periods of the payment of such allowance for expenses; substituting the seal of the Auditor of State for that of Board of the Sinking Fund Commissioner, and declaring an emergency for the immediate taking effect of this act, and providing for the Auditor of State to execute bond, and payment of all moneys into the State Treasury.

Which was read. The amendments, heretofore reported, were read.

Mr. Newcomb moved to recommit Senate bill No. 102 to the Committee on the Sinking Fund, with instructions.

Mr. McMurray offered the following instructions :

Amend by striking out all that part of the bill that relates to the Auditor, \$1,000 incidental expenses and clerk hire, and insert " Auditor's salary shall be \$5,000 per annum."

Mr. Wolfe moved to amend the instructions by Mr. McMurray as follows :

Strike out "\$5,000" and insert "\$4,000."

Mr. Van Valkenburgh moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put ?

It was so ordered.

The question being on Mr. McMurray's instructions.

The same were not agreed to.

The question being on Mr. Wolfe's amendment.

It was agreed to.

Mr. Van Valkenburgh introduced House joint resolution No. 29:  
WHEREAS, in the Congress of the United States, now in session, the subject of an attempt to impeach the President of the United States is under discussion ;

WHEREAS, we are fully satisfied that the President has committed no act during his administration which in any manner justified the institution of such proceedings, and would create an unhealthy and dangerous excitement throughout the whole country, and imperil the peace of the nation ; therefore be it

*Resolved*, That our Senators, in Congress assembled, be instructed, and our Representatives be requested, to uniformly oppose any action looking to the institution of impeachment proceedings,

unless some act shall hereafter be committed by the President clearly justifying such action.

Which was read and referred to the Committee on Federal Relations.

Mr. Sabin obtained leave of absence, on account of sickness.

Mr. Miller moved to take up Senate bill No. 13.

Which was agreed to.

Senate bill No. 13. A bill to authorize and provide for changes of venue in civil actions in certain cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Brucker, Campbell, Chambers, Crain, Daggy, Dunn, Ervin, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Ross, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Woods and Mr. Speaker.—56.

Those who voted in the negative were,

Messrs. Baker, Bird, Black, Bobo, Carter, Corey, Crowe, Edmonson, Fuller, Hostetter, Hungate, Kiser, Long of Jackson, Lopp, McFadin, Morrison, Montgomery, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White and Wolfe—29.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

H. J.—66

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House bill No. 258, having previously been read a third time and failed to pass the House, for want of a constitutional majority.

Was, on motion, taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Brucker, Chambers, Crain, Daggy, Dunn, Ervin, Foulke, Griggs, Hartman, Higgins, Hopkins, Honneus, Hughes, Hungate, Litson, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shields, Shook, Shoaff, Skidmore, Smith of Lagrange, Smith of Wabash, Stafford, Van Valkenburgh, Watson, Williams, Wilson, Wolfer and Woods—49.

Those who voted in the negative were,

Messrs. Bird, Black, Bobo, Campbell, Carter, Corey, Crowe, Douglass, Edmonson, Funk, Fuller, Geisendorff, Gordon, Greer, Hamilton, Hays, Hostetter, Hudson, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Montgomery, Newcomb, North, Shanks, Shull, Spencer, Stackhouse, Stewart, Thacher, Thrasher, Thomas, Wason, White, Wolfe and Mr. Speaker—37.

So the bill failed to pass for want of a constitutional majority.

Mr. Gordon moved to take up Senate bill No. 244.

Which was agreed to.

Senate bill No. 244. A bill creating the Twenty-third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Was read a first time and passed to a second reading.

Mr. McFadin moved to take up House bill No. 346.

Which was agreed to.

House bill No. 346 was then read a second time, and ordered to be engrossed.

Mr. Bobo moved to take up Senate bill No. 236.

Which was agreed to.

Senate bill No. 236. A bill fixing the time for holding the courts in the Tenth Judicial Circuit, changing the time of holding the courts in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.

Was read a first time, and passed to a second reading.

Mr. Belford moved to take up Senate bill No. 212.

Which was not agreed to.

The amendments heretofore reported were read and agreed to, and ordered to be engrossed.

Mr. Litson moved to take up Senate bill No. 70.

Which was agreed to.

Senate bill No. 70. A bill to amend section 57 of an act for the incorporation of cities, approved December 20, 1865, and authorizing subscriptions and donations to aid in the construction of plank roads, slack-water navigation and railroads, running into and through such cities, prescribing the manner in which subscriptions and donations may be made, and for the enforcement thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bird, Bischof, Black, Bobo, Brucker, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Douglass, Edmonson, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Griggs, Hartman, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Mont-

gomery, North, Peelle, Prater, Ratliff, Rosser, Scammahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stewart, Tebbs, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfer, Woods and Mr. Speaker—66

Those who voted in the negative were,

Messrs. Baker, Higgins, Honneus, Shields and Wolfe—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

Mr. Litson offered the following amendment to the title of Senate bill No. 70.

Amend the title by inserting after the words "macadamized roads," the words, "slack water navigation."

Which was agreed.

The title as amended was passed.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House, that the Senate has passed the following Senate joint resolution, to-wit:

Relative to an appropriation for improving the harbor at Michigan City.

Also, that the Senate has passed the following engrossed House bills:

Engrossed House bill No. 316, entitled a bill to protect and indemnify officers and soldiers of the United States and officers and soldiers of the Indiana Legion, for acts done in the military service

of the United States, and in the military service of the State of Indiana, and in enforcing the laws and preserving the peace of the country.

Also, House bill No. 15, entitled a bill to carry out the provisions of an act entitled an act to create a State Normal School and declaring an emergency, approved December 20, 1865, and to appropriate funds necessary for the erection of the State Normal School, and providing from what fund the same shall be taken and appropriated.

Also, Senate bill No. 231, entitled an act to save pending suits affected by the passage of an act entitled an act to repeal sections forty-three and forty-four of an act entitled an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof, approved May 31, 1852, approved December 21, 1865.

In which the concurrence of the House is respectfully requested.

I am also directed by the Senate to inform the House, that the Senate has concurred in House amendments to Senate bills Nos. 13 and 40.

Mr. Woods moved to take up Senate bill No. 41.

Which was agreed to.

Senate bill No. 41. A bill to authorize incorporated towns and townships to subscribe for, purchase and hold stock, and make donations to turnpike, plank road, railroad, railway and slack water navigation companies, and matters properly connected therewith, and declaring an emergency.

Was read a second time.

The amendments heretofore reported were read and agreed to and ordered to be engrossed.

Mr. Higgins offered the following amendment to Senate bill No. 41.

Add after the words "majority of the freeholders," the words, "owning more than one half in value of the real estate of such town or township.

Mr. Van Valkenburgh moved to lay the whole subject on the table.

Messrs. McFadin and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bird, Black, Blanch, Bobo, Crowe, Douglass, Dunn, Edmonson, Fuller, Gordon, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Lopp, McFaddin, McMurray, Montgomery, North, Peelle, Ross, Seammahorn, Shanks, Shields, Shook, Shull, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thrasher, Van Valkenburgh, Vawter, Watson, Williams, Wilson, White and Wolfe—47.

Those who voted in the negative were,

Messrs. Belford, Bischof, Brucker, Campbell, Chambers, Corey, Crain, Daggy, Ervin, Ferris, Foulke, Geisendorff, Greer, Griggs, Hartman, Hamilton, Litson, Martin, Mason, McCarthy, McClasky, McLean, Miller, Moore, Prather, Ratliff, Rosser, Shuey, Skidmore, Smith of Lagrange, Stewart, Thomas, Wason, Wolfer, Woods and Mr. Speaker—34.

So the motion to lay on the table prevailed.

Mr. Williams, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee to whom was referred House bills Nos. 157 and 262, have, carefully examined the same and direct me to report the same as correctly engrossed.

Mr. Williams, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee to whom was referred engrossed House bill No. 313, have had the same under consideration and find it correctly engrossed.



Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred Enrolled House bill No. 262, have carefully compared it with the engrossed copy thereof, and directed me to report, that they find the same correctly enrolled.

The Speaker announced that he had signed House bill No. 262.

Mr. Smith of Lagrange, from the Committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The Committee on Engrossed Bills, to whom was referred House No. 210, have examined the same, and respectfully beg leave to report that they find the same correctly engrossed.

Mr. Lopp moved to take up

Senate bill No. 215. A bill to prevent the spread of the disease commonly "hog cholera," and other diseases, among domestic animals.

Which was agreed to.

Senate bill No. 215 was then read a first time and passed to a second reading.

Mr. Daggy moved to take up

Senate bill No. 214. A bill to authorize cities to prepare, execute, negotiate and sell bonds to provide means to complete unfinished school buildings and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax to provide means for the payment of the interest and principal of such bonds, and declaring an emergency

Which was agreed to.

Mr. Daggy offered the following amendment:

Strike out all after the enacting clause and insert the following:

Sec. 1. That any city or incorporated town in this State, which shall, by its School Trustee or Trustees, have commenced or may hereafter commence the erection of any building or buildings, for school purposes, or which shall have, by its School Trustee or Trustees contracted any debt for the erection of any such school building or buildings, and such Trustee or Trustees shall not have the necessary means with which to complete such building or buildings, or pay such debt, may, on the filing by the Trustee or Trustees of said city or incorporated town, of a report under oath, with the Common Council of such city, or the Board of Trustees of such incorporated town, showing the estimated cost of any such building or buildings, or the amount required to complete such building or buildings, or the amount of such debt, on the passage of an ordinance authorizing the same by the Common Council of such city, or the Board of Trustees of such incorporated town, issue the bond of such city or town to an amount not exceeding, in the aggregate, thirty thousand dollars, in denominations not less than one hundred nor more than one thousand dollars, and payable at any place that may be designated in such bonds, the principal in not less than one year nor more than twenty years after the date of such bonds, and the interest annually or semi-annually, as may be therein provided, to provide the means with which to complete such building or buildings, and pay such debt; and such Common Council or Board of Trustees, may, from time to time, negotiate and sell as many of such bonds as may be necessary for such purpose, in any place, and for the best price that can be obtained therefor in cash: *Provided*, That such bonds shall not be sold at a price less than ninety-four cents on the dollar.

Sec. 2. The proceeds of the sales of such bonds shall be paid to the said School Trustee or Trustees, to enable them to erect or complete such building or buildings, and pay such debt; but before payment to them, such School Trustees shall file with the County Auditor, a bond payable to the State of Indiana, in a sum not less than the full amount of the said money so to be paid to them, and with security to be approved by said Auditor, conditioned for the faithful and honest application of such money to

the purpose for which the same was provided, and such Trustee or Trustees, and their surety or sureties shall be liable to suit on such bond for any waste or misapplication or loss of such money, in the same manner as now provided for waste or loss of school revenue.

Sec. 3. In addition to levying the tax by cities or incorporated towns, for general purposes now authorized by law, the Common Council of any such cities, and the Board of Trustees of any such incorporated towns as shall avail themselves of the provisions of this act, are hereby authorized and required to levy, annually, a special additional tax at the same time and in the same manner as the other taxes of such city or town are levied, sufficient to pay the interest and principal of said bonds falling due, which additional special tax shall be collected as other taxes of said city or town are collected; and the Treasurer of such city or town shall keep accurate accounts of the revenue arising from such special tax, and shall, in his reports, and when required by the city or town authorities, show the amount thereof received, the amount disbursed, and the amount thereof, if any, remaining delinquent. He shall pay out the same only by the authority of the Common Council of such city or Board of Trustees of such town, and shall permit the same to be applied to no other purpose than the payment of the principal and interest of such bonds; and official bonds of City and Town Treasurers shall be construed to cover and include revenue arising from this source: *Provided, always,* That the additional special tax hereby authorized shall not in any one year exceed fifty cents on each one hundred dollars of taxable property, and one dollar on each poll.

Sec. 4. The advancement of the cause of education requires that this act shall take effect and be in force from and after its passage.

Which was agreed to.

Said bill was read a second time, and the amendments ordered to be engrossed.

The bill was then passed to a third reading.

Mr. Ferris moved to take up Senate bill No. 95.

Which was agreed to.

Senate bill No. 95. An act to amend an act entitled "an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859,

Was read a second time.

The amendments heretofore reported, were read and agreed to

Mr. Baker offered the following amendment:

Strike out "15th of August," and insert "15th of October."

Which was not agreed to.

The amendments, as adopted, were then ordered to be engrossed.

#### SENATE BILLS ON THIRD READING.

Senate bill No. 28. A bill to amend section eighteen of an act entitled "an act prescribing the powers and duties of Justices of the Peace in State prosecutions."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Blanch, Campbell, Carter, Crain, Crowe, Daggy, Dunn, Edmonson, Ervin, Ferris, Foulke, Fuller, Geisendorff, Gordon, Greene, Griggs, Hartman, Hamilton, Hays, Higgins, Hostetter, Hudson, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, White, Wolfe, Wolfer, Woods and Mr. Speaker—72.

Mr. Honneus voting in the negative.

So the bill passed.

The question being, shall the title as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Thacher, the House adjourned.

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TWO O'CLOCK, P. M.

The House met.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following resolution, to-wit :

*Resolved*, That the General Appropriation Bill be returned to the House of Representatives, with the request to inquire who has inserted pencil amendments in the place of the amount fixed by the Committee on the Appropriation for Public Printing and the State Prison North, and by what authority the same was done?

And in accordance thereto, said House bill No. 348, is herewith returned.

Mr. Miller offered the following resolution :

*Resolved*, That the Senate be informed, that the amounts inserted in the General Appropriation Bill in pencil marks, were placed there by the unanimous consent of the House; that they ought to

have been written in ink, but were inserted in pencil marks by the Reading Clerk, through a mistake, in the absence of the Principal Clerk.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of Senate bill No. 37.

The same was taken up.

The question being on concurring in the report of the Special Committee, and adopting the amendments reported by the committee.

The amendments were read and agreed to.

Mr. Higgins offered the following amendment:

Amend section eighteen by adding thereto the following words:

“In any city, containing a population of less than ten thousand, the Mayor may, at any time, with the consent of the Common Council, deposit his docket with any Justice of the Peace in such city, who shall thereupon act as, and have all the judicial powers and authority of such Mayor, during such time as the Mayor may continue such docket in the hands of such Justice.

Which was agreed to.

Mr. Litson offered the following amendment:

Strike out the words “owning one-half of the real estate within the limits of such city, as estimated and valued upon the tax duplicate of such, for taxable purposes,” on twelfth page, commencing on the seventh line thereof.

Which was agreed to.

Mr. Crowe offered the following amendment :

Amend by adding to section sixty-eight, the following :

*“ Provided, further, That when the State of Indiana is the owner of property on or along the street or streets, proposed to be improved, as hereinbefore provided, the Common Council shall not contract for the execution of said improvement, involving the State in any liability, without first obtaining the written consent and approval of the Auditor and Treasurer of State.”*

Mr. Woods, also, offered the following amendment:

*“ But such city may make such improvement at its own expense.”*  
Which was adopted.

The question being on Mr. Crowe's amendment, as modified by Mr. Woods.

It was agreed to.

Mr. Daggy offered the following amendment :

Amend section fifty-three by adding thereto the following: To compel the city school trustee, or trustees, to make report to the Common Council; to exempt an amount of real property, owned by any resident householder of such city, not exceeding three hundred dollars in value, from sale for street improvements; to punish contempt, and contemptuous and disorderly demeanor in the council room; to provide on what terms real estate in such city may be drained, by means of surface or under drains, over and across other real estate therein.

Which was agreed to.

On motion, by Mr. Crain, the amendments were considered engrossed.

Senate bill No. 37. A bill to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the man-

ner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bird, Bischof, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Ferris, Foulk, Funk, Geisendorff, Gordon, Greene, Greer, Hartman, Hays, Higgins, Hopkins, Honneus, Hudson, Kiser, Litson, Long of Kosciusko, Martin, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, O'Neil, North, Peelle, Ratliff, Ross, Rosser, Shanks, Shook, Sheaff, Shull, Shuey, Skidmore, Tebbs, Van Valkenburgh, Wason, Watson, Williams, Wolfer, Woods, Wright, and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Hamilton, Hostetter, Hughes, Hungate, Mason, Prather, Seammahorn, Smith of Lagrane, Smith of Wabash, Spencer, Stackhouse, Thrasher, Thomas, Vawter, Wilson, White, and Wolfe—17.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Long, of Kosciusko, moved to take up Senate bill No. 46.

Which was not agreed to.



Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled Senate act No. 191, and presents the same to the Speaker of the House for his signature thereto.

The Speaker announced that he had signed Senate bill No. 191

Mr. Ross moved to take up House bill No. 338.

Which was agreed to.

Mr. Woods moved that it be deemed expedient to suspend the constitutional rule requiring that bills be read on three several days, and that said bill be read a second time by title, and a third time by sections, to-day.

The ayes and noes were taken, as required by the Constitution.

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Crain, Crowe, Daggy Danaldson, Douglass, Dunn, Edmonson, Ervin, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Hostetter, Hudson, Hughes, Hungate, Kiser, Long of Jackson, Lopp, Martin, Mason, McClasky, McFadin, McLean, McMurray, Miller, Morrison, Montgomery, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stewart, Thomas, Van Valkenburgh, Watson, Williams, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Bischof, Long of Kosciusko, Smith of Wabash, Thacher, Thrasher, and Wason—6.

So it was deemed expedient, and the constitutional rule was suspended.

House bill No. 338 was then read a second time by its title.

The amendments, as heretofore reported, were read and agreed to.

The bill was informally passed over.

Mr. Spencer moved to take up Senate bill No. 46.

Which was agreed to.

Mr. Hughes moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

Senate bill No. 46. A bill to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for the violation thereof.

Having previously been read a third time, was taken up.

The question being, shall the bill pass?

Those who voted in the negative were,

Messrs. Blanch, Campbell, Chambers, Danaldson, Dunn, Ervin, Ferris, Foulke, Funk, Gordon, Greer, Griggs, Hartman, Hamilton, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, North, Peelle, Ratliff, Rosser, Shields, Shuey, Shull, Skidmore, Smith of La-grange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Woods, Wright, and Mr. Speaker—44.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bird, Bischof, Bobo, Brucker, Carter, Corey, Crowe, Daggy, Douglass, Edmonson, Fuller, Geisendorff, Greene, Hays, Higgins, Hopkins, Honneus, Hostetter, Hungate,

Kiser, Long of Jackson, Lopp, McFadin, Montgomery, O'Neil, Prather, Ross, Scammahorn, Shanks, Shook, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Watson, Williams, White, Wolfe, and Wolfer—43.

So the bill failed to pass for want of a constitutional majority.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred Enrolled House bill No. 316, have carefully compared it with the engrossed copy thereof, and have directed me to report that they find the same correctly enrolled.

The Speaker announced that he had signed House bill No. 316.

Mr. Hughes moved to reconsider the vote by which the House adopted certain instructions to the committee to whom was recommended Senate bill No. 102.

Mr. Miller moved the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion to reconsider.

Messrs. McFadin and Wolfe demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Campbell, Daggy, Dunn, Ferris, Funk, Geisendorff, Hartman, Hughes, Litson, Long of Kosciusko, McCarthy, McLean, McMurray, Miller, Moore, Newcomb, North, Prather, Rosser, Smith of Lagrange, Smith of Washash, Thomas, Watson, Wolfer, and Woods—26.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bichof, Black, Blanch, Bobo, Brucker, Carter, Chambers, Corey, Crain, Crowe, Danaldson, Douglass, Edmonson, Ervin, Foulke, Fuller, Gordon, Greer, Griggs, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Kiser, Long of Jackson, Lopp, Martin, Mason, McClasky, McFaddin, Morrison, Montgomery, O'Neil, Peelle, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburg, Vawter, Wason, Williams, Wilson, White, Wolfe, Wolflin, Wright and Mr. Speaker—66.

So the motion to reconsider did not prevail.

The question being on concurring in the report of the Committee.

The report was concurred in and the amendments were considered as engrossed.

Senate bill No. 102. A bill to provide for the custody and management of the notes, bonds and mortgages, arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners; to continue in force all laws or parts of laws in force on the 20th day of January, 1867, which are applicable to said loans and the securities therefor; to clothe the Auditor of State with the powers, and subject him to the duties in relation to said loans and securities therefor, which by said laws are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and periods of the payment of such allowance for expenses substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act, and providing for Auditor of State to execute bond and payment of all monies into the State Treasury.

Was taken up, having previously been read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Blanch, Brucker, Campbell, Carter, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Ferris, Foulke, Funk, Geisendorff, Gordon, Green, Greer, Griggs, Hungate, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Hughes, Hungate, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Woods, Wright and Mr. Speaker—82.

Those who voted in the negative were,

Messrs. Bobo, Fuller, Long of Jackson, Lopp, Montgomery, Thacher and White—8.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Montgomery moved to take up Senate bills on second reading.

Mr. Crain moved to amend by saying House bills on third reading.

Mr. Chambers moved to amend further by taking up Senate bill No. 46.

Which was agreed to.

Mr. Greer obtained leave of absence during the remainder of the session.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit :

Senate bill No. 226, entitled an act to amend the twenty-eighth section of an act entitled an act to incorporate the Vevay, Mt. Sterling and Versailles turnpike road company, approved January 4, 1850.

In which the concurrence of the House is respectfully requested.

Also, that the President has signed enrolled House acts Nos. 262 and 316.

And further, that the President has signed enrolled Senate act No. 105, and presents the same to the Speaker of the House for his signature thereto.

And further, that he has transmitted enrolled act No. 191 of the Senate, to the Executive Department.

Senate bill No. 46. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof.

Was taken up, having previously been read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Campbell, Chambers, Danaldson, Dunn, Ervin, Ferris, Foulke, Funk, Gordon, Greer, Griggs, Hartman, Hamilton, Hudson, Long of Kosciusko, Mason, McCarthy, McClasky, McMurray, Miller, Moore, North, Ratcliff, Rosser, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Woods, Wright and Mr. Speaker—40.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Bischof, Black, Bobo, Brucker, Carter, Corey, Crain, Crowe, Daggy, Douglass, Edmonson, Fuller, Geisendorff, Greene, Hays, Higgins, Hopkins, Honneus, Hostetter, Hungate, Kiser, Litson, Long of Jackson, Lopp, McFadin, McLean, Morrison, Montgomery, O'Neil, Peelle, Prather, Ross, Seammahorn, Shanks, Shook, Shoaff, Shull, Staekhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Watson, White, Wolfe and Wolfer—46.

So the bill did not pass.

Mr. Shuey moved to suspend the order of business and take up House bills Nos. 267, 194, 336, 239, 297, 238, 268, 306, 308, 314, 325, 328, 37, 339, 173, 338, 345, 346, 344, 125, 332, and 336, resolutions 24, 25, and 26.

The Speaker having decided that it is not in order to move to suspend the constitutional rule requiring bills to be read on three several days, by sections, on more than one bill at one time, from which we take an appeal to the House.

M. F. SHUEY.

J. L. MONTGOMERY.

The question being, shall the decision of the Chair stand as the judgement of the House.

It was agreed to.

On motion by Mr. Belford, the House adjourned.

SEVEN O'CLOCK, P. M.

The House met.

#### SENATE BILLS ON FIRST READING.

Senate bill No. 237. A bill creating the 19th, 20th, and 21st Judicial Circuits, and providing for the election of Judges and

Prosecuting Attorneys therein, and providing compensation therefor; declaring the jurisdiction of said Courts, and providing for a transfer of actions thereto.

Was read a first time, and passed to a second reading.

Senate bill No. 198. A bill to amend sections twenty-five and eighty-eight of an act entitled "an act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and to provide for jurisdiction and for the collection of certain taxes in the territory aforesaid, and providing for submitting the question of re-adjusting the boundary lines between the counties of Warren and Fountain to the legal votes of those counties.

Was read a first time, and referred to the Committee on the Judiciary.

Senate bill No. 200. A bill approving the action of Thomas B. McCarty, Auditor of State, in settling and saving to the State of Indiana \$2,262.08, occasioned by the defalcation of the Treasurer of Pulaski county, on account of the swamp land fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State.

Was read a first time, and passed to a second reading.

Senate Joint Resolution No. 9. A joint resolution relative to an appropriation for improving the harbor at Michigan City.

Was read a first time, and passed to a second reading.

Senate bill No. 176. A bill requiring railroad companies to erect signs or public notices at all highway crossings, and providing penalties for neglect thereof.

Was read a first time, and passed to a second reading.

Senate bill No. 190. A bill providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes, and declaring an emergency."

Was read a first time, and referred to the Committee on Fees and Salaries.



Senate bill No. 186. A bill supplemental to an act providing for the settlement of decedents estates; prescribing the rights, liabilities, and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Was read a first time, and passed to a second reading.

Senate bill No. 187. A bill to provide for the keeping of a county pauper record, and defining the duties of certain officers in relation thereto.

Was read a first time, and passed to a second reading.

Senate bill No. 189. A bill to amend the twenty-third section of an act for the government of the Indiana Hospital for the Insane, and care of the insane of Indiana.

Was read a first time, and passed to a second reading.

Senate bill No. 185. A bill to authorize Judges of Circuit Courts and Courts of Common Pleas to appoint Receivers in Vacation, and to make all orders in relation thereto; to authorize such judges to modify and dissolve injunctions, and to allow appeals therefrom, the same as if made by the Court in session; and to provide that an appeal from an injunction order shall not operate as a *supersedeas*.

Was read a first time, and passed to a second reading.

Senate bill No. 159. A bill providing for the appointment of a night-watchman for the State House, to fix the salary of the same, and declaring an emergency.

Was read a first time, and passed to a second reading.

Senate bill No. 169. A bill to provide for official visitations and inspections of the prison and benevolent institutions of the State.

Was read a first time, and passed to a second reading.

Senate bill No. 171. A bill fixing the duration of the terms of the Circuit Court in the county of Warren, and repealing all laws in conflict with its provisions.

Was read a first time, and passed to a second reading.

Senate bill No. 91. A bill to provide for rules and by-laws for railroads, and the punishment for the violation thereof."

Was read a first time, and referred to the Committee on Railroads.

Senate bill No. 149. A bill to amend the second section of "an act for the incorporation of manufacturing and mining companies, and companies, for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies, which may have been, or shall be hereafter incorporated in the State for any of the purposes contemplated in said act, with a limitation of the amount or location of their real estate, may take, hold and convey any amount of real estate which may be necessary to carry on the operation, of such company, whether such real estate be situate in this State or elsewhere, and declaring certain conveyances valid.

Was read a first time, and referred to the Committee on Corporations.

Senate bill No. 220. A bill to amend sections ninety-four and ninety-six of an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditor of State."

Was read a first time, and referred to the Committee on Ways and Means.

Senate bill No. 233. A bill to appropriate certain sums of money to the Antietam National Cemetery, and to the Soldiers' National Cemetery at Gettysburg.

Was read a first time, and passed to a second reading.

Senate Joint Resolution No. 2. A joint resolution in relation to a ship canal, connecting Lake Erie and Lake Ontario.

Was read a first time, and passed to a second reading.

The Speaker announced that he had signed Senate bill No. 13.

Senate bill No. 207. A bill requiring certain officers of the State to make reports, and providing for the publication thereof.

Was read a first time, and passed to a second reading.

Senate bill No. 211. A bill to amend an act entitled "an act to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, approved March 9, 1861.

Was read a first time, and referred to the Committee on the Judiciary.

Senate Joint Resolution No. 5. A Joint Resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notices of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.

Was read a first time.

Mr. Newcomb moved that Senate Joint Resolutions Nos. five and nine be made the special order for the day at 9½ o'clock to-morrow morning.

Which was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following House bill, to-wit:

Engrossed House Bill No. 319, entitled "a bill authorizing the appropriation of money out of the State Treasury for the use of the State University, located at Bloomington, Monroe county;" and, further, that the President has signed Engrossed Senate act, No. 13, and presents the same to the Speaker of the House for his signature thereto.

I am further directed by the Senate to inform the House that the Senate disagrees to the engrossed amendments of the House to Engrossed Senate bill No. 40, and respectfully requests the House to recede therefrom.

The Speaker announced that he had signed Senate bill No. 105.

Senate bill No. 195. A bill to cure defective or illegal bonds of executors and administrators and their sureties.

Was read a first time, and passed to a second reading.

Senate bill No. 148. A bill to amend "an act to incorporate the Grapevine Marsh Plank Road Company," approved February 12, 1857.

Was read a first time, and passed to a second reading.

Senate bill No. 245. A bill to repeal section one hundred and thirty-one of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Was read a first time, and passed to a second reading.

Senate bill No. 226. A bill to amend the twenty-eighth section of an act entitled "an act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company," approved January 4, 1850.

Was read a first time, and passed to a second reading.

#### SENATE BILLS ON SECOND READING.

Senate bill No. 75. A bill for the incorporation of slack water navigation companies, and defining their powers and duties.

Was read a second time, and passed to a third reading.

Senate bill No. 76. A bill to increase the salaries of prosecuting attorneys of the Criminal Circuit Courts, and providing the manner for the payment of the same.

Was read a second time, and passed to a third reading.

Senate bill No. 151. A bill to amend the eleventh section of an act entitled "an act touching the relation of guardian and ward," approved June 9, 1852, and regulating suits on bonds of guardians removing from the State.

Was read a second time, and passed to a third reading.

Senate bill No. 206. A bill creating the Twenty-Second Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Was read a second time.

Mr. Miller moved to amend by striking out the word "second," in the title, and insert "third."

Strike out the word "second," in the third line of the first section, and insert "third."

Strike out the word "second," in the fifth line of the third section, and insert "third."

Strike out the word "second," in the ninth line of the third section, and insert "third."

Strike out the word "second," in the fourteenth line of the third section, and insert "third."

Which was agreed to.

The bill then passed to a third reading.

Senate bill No. 212. A bill to regulate the arrest and surrender of fugitives from justice from other States and Territories.

Was read a second time, and passed to a third reading.

Senate bill No. 79. A bill providing for the incorporation of Electric Telegraph Companies.

Was read a second time.

Mr. Hopkins moved to amend by inserting "fifty" in the blank.

Which was agreed to, and the bill passed to a third reading.

Senate bill No. 89—a bill for the incorporation of Steam Packet Companies—with amendments heretofore reported, was read.

The amendments were agreed to, and the bill passed to a third reading.

Senate bill No. 119. A bill to amend the thirteenth section of the act approved June 4, 1861, entitled "an act to provide for the incorporation of Street Railroad Companies."

Was read a second time, and passed to a third reading.

Senate bill No. 118. A bill to require Clerks of the Courts of Common Pleas to specify, by separate items, the fees and services for which they may demand payment of executors, administrators or guardians.

Was read a second time, and passed to a third reading.

Senate bill No. 54. A bill authorizing the assessment of all the lands within one and one-half miles of the terminus of any plank macadamized or gravel road organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "an act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and for the collection of such assessments. *Provided*, the lands are situated within the county in which such road is located.

Was read a second time, and passed to a third reading.

Senate bill No. 164. A bill to provide for the removal from office, death, resignation, or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.

Was read a second time, and passed to a third reading.

Senate bill No. 203. A bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith.

Was read a second time, and passed to a third reading.

Mr. Higgins moved to reconsider the vote whereby Senate bill No. 190 was referred to the Committee on Fees and Salaries.

Which was agreed to.

Senate bill No. 190 was then passed to a second reading.

Senate bill No. 223. A bill to amend the first section of an act entitled an "act to amend the fortieth clause of section thirty of an act 'entitled an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,' approved January 27, 1947, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said city of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the laws of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river at or near Evansville, Indiana.

Was read a second time, and passed to a third reading.

Senate bill No. 97. A bill designating certain holidays, and in relation to negotiable paper falling due thereon.

Was read a second time, and passed to a third reading.

Senate bill No. 116. A bill to amend sections eight and twenty-five of an act entitled "an act for the government of the Indiana Hospital for the Insane, and the care of the Insane of Indiana," approved January 15, 1852.

Was read a second time, and passed to a third reading.

Senate bill No. 131. A bill to amend section seven hundred and eighty-four of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases in the Courts of this State; to abolish distinct forms of action at law,



and to provide for the administration of justice in a uniform mode of practice and pleadings, without distinction between law and equity."

Was read a second time, and referred to the Committee on the Judiciary.

Senate bill 140. A bill authorizing insurance companies to reinsure their risks, and close up their business.

Was read a second time, and passed to a third reading.

Senate bill No. 218. A bill directing the State and county officers to receive certain certificates in payment as money.

Was read a second time, and referred to the Committee on Swamp Lands, with instructions to report by 12 o'clock M. tomorrow.

Senate bill No. 36. A bill to amend an act entitled "an act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees," approved May 13, 1852.

Was read a second time, and passed to a third reading.

Senate bill No. 38. A bill to amend section twenty of an act entitled "an act to amend an act entitled 'an act providing for the election or appointment of Supervisors of highways,' and prescribing certain of their duties, and those of county and township officers in relation thereto," approved December 20, 1865.

Was read a second time, and passed to a third reading.

Senate bill No. 103. A bill to prevent persons from injuring or destroying insured property, and for making false proofs thereof, prescribing penalties for the same.

Was read a second time.

Mr. Shuey moved to amend said bill by striking out the emergency clause.

Which was agreed to, and said bill then passed to a third reading.



Mr. Thacher gave notice that he would make a motion to reconsider the vote whereby the resolution offered by Mr. Woods to take "Wilson's Digest" was adopted.

Senate bill No. 114. A bill to amend an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto.

Was read a second time.

The amendments heretofore offered were agreed to.

Mr. Tebbs moved to amend by adding thereto "one copy of Dr. Jayne's almanac."

Which was not agreed to.

Mr. Baker moved to recommit said bill, and pending amendments to the Committee on Education, with instructions to provide for establishing schools wherein the German language shall be taught in neighborhoods where there are fifteen children of German parentage, entitled to the benefit of the common schools.

Which was passed over informally.

Mr. Montgomery moved to reconsider the vote, whereby House bill No 278, was passed.

Which was agreed to.

Mr. Montgomery, by consent, moved that so much of Enrolled House Bill No. 278, as purports to be a recital of the fourth paragraph of section one of said act, be stricken out of said bill, in order that the body of said House bill No. 278, may conform to the act as amended.

Which was agreed to.

The subject was laid over till to-morrow.

Senate bill No. 91. A bill to provide for the protection of fur-bearing animals.

Was read a second time.

Mr. Shuey moved to strike out "mink" and "raccoon," wherever the same occurs in said bill.

Mr. White moved to lay the whole subject on the table.

Which was agreed to.

Senate bill No. 117. A bill to amend sections first and tenth of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and repealing all laws inconsistent therewith, providing penalties therein prescribed."

Was read a second time, and passed to a third reading.

Senate bill No. 242. A bill to amend section five of an act to amend an act entitled "an act for incorporating the Wabash Manual Labor College and Teachers' Seminary," approved February 8, 1851.

Was read a second time, and passed to a third reading.

House bill No. 58, was taken from the table and placed on file.

Senate bill No. 154. A bill to revise and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 21, 1847.

Was read a second time, and passed to a third reading.

On motion by Mr. Gordon, the House adjourned.

FRIDAY MORNING, 9 O'CLOCK, }  
 March 8, 1867. }

The House met.

On motion by Mr. Greene, the reading of the Journal, excepting that portion relating to the action on Senate bill No. 46, was dispensed with.

Messrs. Evans, Newcomb, Martin and Sabin obtained leave to record their votes in favor of the passage of Senate bill No. 46.

Messrs. Inman and Wolflin obtained leave to record their votes in the negative on the passage of Senate bill No. 46.

PETITIONS, MEMORIALS, CLAIMS, ETC.

By Mr. Miller,

A memorial from John Dauphin, of La Fayette, Indiana, on the subject of an emigration law.

Which was read, and referred to the Committee on Emigration.

By Mr. O'Neil,

A remonstrance from sundry citizens of Daviess, Martin and Knox counties, against a pending bill for the protection of fish.

Which was read and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

By Mr. Shields,

A petition from sundry citizens of Fulton county, in relation to a prohibitory liquor law.

Which was referred to the Committee on Temperance, without reading.

Mr. Dunn, from the special committee on the investigation of current rumors of corruption, made the following report:

MR. SPEAKER:

The special committee, to whom was referred the investigation  
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of current rumors of corruption, for the purpose of legislative preferment, instruct me to submit the following report :

They have devoted all possible time to a thorough examination of the matter, and have failed to adduce any testimony implicating or tending in the least to implicate, any members of the assembly in such charges. Owing to a lack of time for further investigation they would ask to be discharged from further consideration of the subject.

Which was concurred in.

Mr. Ross, from the Committee on the Judiciary, made the following report :

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 310—a bill to amend an act approved February 23, 1859, entitled an act to amend an act entitled “an act to amend the thirty-second section of an act defining misdemeanors, and prescribing punishment therefor,” approved June 14, 1852; approved March 7, 1857—have had the same under consideration, and direct me to report the same back to the House, and recommend that it it be indefinitely postponed.

Mr. Ross, from the Judiciary Committee, made the following report :

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 305—a bill for the suppression of lotteries, gift distributions, and other gambling schemes, and for the punishment of persons engaged in the same, or encouraging, aiding, abetting or assisting in in such schemes, and providing a penalty for the violation of this act—have had the same under consideration, and directed me to report said bill back and recommend that it be indefinitely postponed.

Which was concurred in, and said bill indefinitely postponed.

Mr. Ross, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 149—a bill to provide for taxing income arising on bonds and other securities of the United States—have considered the same, and directed me to report said bill back and recommend that it be indefinitely postponed.

Which was concurred in, and said bill indefinitely postponed.

Mr. Ross, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 311—A bill to define perjury in legislators, and others filling official positions, and fixing the penalty therefor—have considered the same, and directed me to report the same back and recommend that it be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

Mr. Ross, from the Committee on the Judiciary, made the following majority report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill No. 74, have had the same under consideration, and a majority of said committee direct me to report the same back and recommend that it be indefinitely postponed.

Mr. Miller, from the same committee, made the following minority report:

MR. SPEAKER:

A minority of the Judiciary Committee, having had Senate bill

No. 74 under consideration, recommend the following amendment, and when so amended, recommend its passage :

[Copy of amendment, mentioned in the above report, not furnished.—STATE PRINTER.]

Which was laid on the table.

Mr. Smith, of Lagrange, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Committee on the Judiciary, to whom was referred House bill No. 146—a bill to provide by law for the construction of stopping points or stations, and the construction of side-tracks on railroads, and prescribing penalties for the violation thereof—with instructions to inquire into and report on the constitutionality of its provisions, have had the same under consideration, and without having come to a satisfactory conclusion as to the constitutionality of all the provisions of the bill, owing to the shortness of time in which the committee have to examine a number of bills, yet the committee are of the opinion that to pass the bill, without amendment, would be a violation of the vested right of railroad companies, and, aside from constitutional considerations, the committee deem it inexpedient to pass said bill, and have directed me to report the same back and recommend that it be indefinitely postponed.

Which was concurred in, and said bill indefinitely postponed.

Mr. Smith, of Lagrange, from the Judiciary Committee, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred House bill No. 14—a bill to establish a Board of Investigation, for the purpose of encouraging emigration to the State of Indiana from the Eastern States of the United States, and from Europe—have had the same under consideration, and have directed me to report the said bill back, without amendment, and recommend its passage.

Which was laid on the table.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred Enrolled bill No. 15, have carefully compared it with the engrossed copy thereof, and have directed me to report that they find the same correctly enrolled.

The Speaker announced that he had signed House bill No. 15.

Mr. Woods, from the Committee on the Judiciary, made the following report :

MR. SPEAKER :

The Judiciary Committee, to whom was referred the memorial of James Morrison, asking for an allowance out of the State Treasury of \$500, as balance of attorney's fee for services rendered the Board of Trustees of the Indiana Institute for the Education of the Blind, have had the same under consideration, and a majority of said committee have directed me to report the same back, with a recommendation that the same be allowed, and the Committee on Ways and Means place said allowance in the specific appropriation bill, and the committee ask to be discharged from the further consideration thereof.

Message from the Governor, by Mr. Commons, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform your honorable body that he has approved and signed Enrolled act No. 262, an act to amend sections two and six of an act entitled "on act to incorporate the Widows and Orphans' Asylum of Indianapolis."

Also, Enrolled act No. 316, an act to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion, for acts done in the military service of the

United States, and in the military service of the State of Indiana, and in enforcing the laws and preserving the peace of the country, and providing for defenses in actions for libel and slander in certain cases, and appropriating money to be expended by the Governor in certain suits, and that the same have been deposited in the office of the Secretary of State.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

Senate bill No. 246, entitled an act to fix the time of holding terms of the Circuit Courts in the 11th Judicial Circuit.

In which the concurrence of the House is respectfully requested.

Mr. Peelle, from the Committee on the Organization of Courts of Justice, made the following report:

MR. SPEAKER:

The Committee to whom was recommitted House bill No. 338, —a bill fixing the times of holding the Civil Circuit Courts, the length of the terms thereof, in the several counties of this State, and other matters properly connected therewith—have had the same under consideration and recommend the following amendment as an additional section, and when so amended, they recommend the passage of the bill without further amendment.

Strike out all from line 147 inclusive, to line 152 inclusive; also, strike out all from line 155 inclusive, to line 161, inclusive; then add after section two, the following:

“The Circuit Courts in the 10th Judicial Circuit, shall continue to be held under the regulations heretofore prescribed by law, and the term of court for the county of Allen shall be held, the present spring, on the fourth Monday of April next, but thereafter the Spring Terms of said courts shall be held as follows:

In the county of Whitley on the 4th Monday of March, and sit two weeks if the business thereof shall require it.

In the county of Wells on the Monday succeeding the court in the county of Whitley and sit two weeks if the business thereof require it.



In the county of Adams on the Monday succeeding the court in the county of Wells and sit one week if the business thereof require it.

In the county of Allen on the Monday succeeding the court in the county of Adams, and the fall terms shall be held as follows :

In the county of Wells on the third Monday of October, and sit two weeks if the business thereof shall require it.

In the county of Adams on the Monday succeeding the court in the county of Wells, and sit one week if the business thereof shall require it.

In the county of Whitley on the Monday succeeding the court in the county of Adams, and sit two weeks, if the business thereof shall require it.

In the county of Allen on the Monday succeeding the court in the county of Whitley.

In the county of Allen, the said Circuit Courts may sit as long as the business requires it.

Which was laid on the table.

Mr. Wright, from the Committee on Claims, made the following report :

MR. SPEAKER :

The Committee on Claims to whom was referred the claims of James and John Huffer, for grading and graveling Blackford street sidewalks, between New York street and the south side of Market street, and also for grading and graveling New York street, including sidewalks, between the west side of West street and the west side of Blackford street, in the city of Indianapolis, amounting to \$1,389.05 have had the same under consideration and recommend that the same be allowed and placed in the specific appropriation bill for payment, and for that purpose they recommend that it be referred to the Committee on Ways and Means.

Mr. Long, of Jackson, from the Committee on Claims, made the following report.

MR. SPEAKER :

The Committee on Claims to whom was referred House bill No. 344—entitled an act to repeal an act entitled an act to provide for the sale of certain lands belonging to the State of Indiana in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon, approved December 12, 1865, and for the

relief of John P. Dunn, a former Auditor of State—have had the same under consideration and would respectfully recommend the following bill as a substitute therefor, and recommend its passage.

An act to provide for the conveyance of certain lands situate in Newton county, Indiana, to John P. Dunn, and for the relief of the said John P. Dunn, and prescribing the duties of certain officers therein named.

WHEREAS, Under the provisions of an act of the General Assembly of the State of Indiana, approved December 12, 1865, certain lands lying in the county of Newton, and State of Indiana, were conveyed to the State of Indiana, to be held in trust as collateral security for the payment of a debt owing by John P. Dunn to the State of Indiana; and,

WHEREAS, It is represented that the greater portion of said indebtedness has been paid; therefore,

*Be it enacted by the General Assembly of the State of Indiana,* That whenever the Governor of the State of Indiana shall be satisfied that the said John P. Dunn has fully paid his indebtedness to the State, he is hereby authorized to reconvey to said John P. Dunn, all the lands in said county of Newton, not otherwise disposed of by the State, which were conveyed by said John P. Dunn to the State of Indiana, to be held in trust as collateral surety for the payment of such indebtedness.

Sec. 2. Whereas, inasmuch as the said Dunn is without any legal title to said lands, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Which was laid on the table.

Mr. Wright, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of James Stewart for \$436.80, for grading and graveling the State's portion of North street, exclusive of sidewalks, between the east

side of Delaware and Illinois streets, in the city of Indianapolis, have had the same under consideration, and would recommend that the same be allowed and placed in the Specific Appropriation Bill for payment; and for that purpose, they recommend that it be referred to the committee on Ways and Means.

Which was concurred in.

Mr. Ferris, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the Claim of G. W. Alexander, for services rendered in raising recruits for the United States service, in 1862, have had the same under consideration, and would recommend that the claim be not allowed.

Which was concurred in.

Mr. Crowe, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Thomas Yost for \$221.40, for grading, paving and curbing in front of lot No. one, in square sixty-eight, in the city of Indianapolis, have had the same under consideration, and would recommend that the same be allowed, and placed in the Specific Appropriation Bill for payment.

Mr. Wright, from the Committee on Claims, made the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Cyrus T. Nixon, for services rendered in organizing the House of Representatives for the session of 1867 of the General Assembly, beg leave to report that they have considered the same, and recommend that said Nixon be allowed pay for three days, at \$5 per day, (\$15,) and full mileage to the amount of \$48, the aggre-

gate being \$63; and that the Speaker be instructed to issue his warrant for said amount.

Which was concurred in.

Mr. Sabin, from the Committee on Fees and Salaries, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House Resolution, concurred in by the House on the 19th instant, requiring said committee to inquire if Clerks of Circuit and Common Pleas Courts charge more than fifty cents for issuing executions or fee bills, or more than fifty cents each for docketing causes in their respective courts.

Also, whether more than one docket entry, in the same cause and at the same time.

Also, whether Auditors are not charging their respective counties (and county boards allowing said charges,) with large sums of money annually, for services as such Auditor, in making records that the law does not direct, authorize or contemplate, and particularly as to a book called an assessment roll.

Also, whether charges are not over-estimated in the count of words, and if printed headings on the tax duplicates and printed matter in other records are not included in estimates for services rendered by said Auditors.

Also, that said committee inquire as to charges for constructive mileage, and be empowered to send for persons and papers, and reports to this House as soon as practicable.

Your committee have had the same under consideration, and have instructed me to report that we deem it impossible to comply with these requirements during the present session of the General Assembly.

To do anything like justice to the subject would require a careful examination of the books and papers of those officers in all the counties of the State.

If, in the opinion of the General Assembly, it is expedient to have that matter investigated, we would respectfully ask your authority to make such investigation after the adjournment of the General Assembly, and should that course be determined on, we

would respectfully recommend that an appropriation be made sufficient to cover the expense of the same.

We are informed by those competent to judge of those matters, that there are great abuses in charges in many of the counties, and that there is a vast amount of money unjustly, not to say fraudulently, wrung from the people.

We have but little official data to work upon, consisting of the reports required by law to be made by county officers of an itemized statement made under oath, of the fees and allowances received during the year. Only a small proportion of them have reported, (perhaps one-fourth or one-fifth,) and only one of them itemized, and but few of them bearing the formality of an affidavit. Yet, from these data, we learn that there is a vast disparity of charges. In different counties, with nearly equal population, the receipts of some are more than double that of others.

We are of opinion that it would be wisdom for the General Assembly to take some steps to correct, as far as possible, the evils complained of, but owing to the difficulty of its accomplishment, we beg leave to make our report without recommending any particular course to be pursued.

Which was laid on the table.

Mr. Scammahorn, from the Committee on Rights and Privileges, made the following report :

MR. SPEAKER :

Your Committee on Rights and Privileges, to whom was referred Senate bill No. 213, entitled an act concerning the punishment of women and girls, have had the same under consideration, and direct me to report the same back to the House and recommend its passage.

Which was concurred in.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act No. 28 of the Senate, and presents the same to the Speaker of the House for his signature thereto.

Mr. Tebbs, from the Committee on County and Township Business, made the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred the memorial of B. F. Gregory, a citizen of Warren county, remonstrating against the passage of a bill providing for the division and change of boundaries of the counties of Fountain and Warren, instruct me to report that they have had the same memorial under consideration, but that, as the said bill against which the memorialist remonstrates, has not yet come before the House for action, beg to be excused from making final report upon the memorial, and would further ask that when the bill is presented to the House, it be referred to this Committee for consideration and report.

Which was laid on the table.

Mr. Chambers, from a Committee on Corporations, made the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred Senate bill No. 149, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which was laid on the table.

Mr. Honneus, from the special committee, made the following report:

MR. SPEAKER:

The special committee, to whom was referred a resolution in regard to the delinquent taxes of the Louisville, New Albany and Chicago railroad, and directed by said resolution to devise a plan by which delinquent parties might be brought to justice, have had the same under consideration, and said committee is of the opinion the subject matter of the resolution is of much interest to the State, and should be properly investigated, and that there is not sufficient time for a proper investigation during the present session

of the Legislature. In view of the great importance of the matter in regard to the delinquent taxes of said railroad, and other railroads, the committee have directed me to report the following resolutions, and recommend that they be adopted:

*Resolved*, That a committee of three be appointed by the House of Representatives, to sit during the vacation of the Legislature, and inquire into and thoroughly investigate whether any of the railroad companies, running in or through this State, have properly paid their taxes to the State and the counties through which said railroad runs.

*Resolved*, That said committee shall examine into and report what legislation is necessary in order that all railroad companies shall pay all delinquent taxes due by them, and likewise pay a tax on a fair valuation of their roads in the future.

*Resolved*, That said committee is hereby authorized and empowered to send for persons and papers, compel the attendance of witnesses, and to administer all oaths to witnesses.

*Resolved*, That said committee shall, at as early a day as practicable, make a full and complete report of their doings, in the matter referred to them, to the Governor of the State, who shall lay the same before the Legislature at the next session thereof.

*Resolved*, That each member of said committee shall be allowed and receive five dollars per day for every day employed, and receive mileage, the same as a member of the General Assembly, for traveling expenses: *Provided*, That no member of said committee shall be allowed more than ——— dollars, and that warrants for said services shall be drawn on the Treasurer of State by the Auditor of State, upon the certificate of said committee filed in his office.

Mr. Daggy offered the following amendment:

Amend by inserting, "That said commission shall not be allowed to sit exceeding sixty days."

Which was accepted by the mover.



Mr. Campbell moved to lay the resolution and amendment on the table.

Messrs. Honneus and Tebbs demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Campbell, Fuller, Greene, Hamilton, Higgins, Hopkins, Hostetter, Hudson, Litson, Martin, McLean, Peelle, Prather, Sabin, Shook, Shuey, Skidmore, Spencer, Stackhouse, Stafford, Stewart, Thomas, Wolflin, and Wright—25.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Bird, Black, Bobo, Brucker, Carter, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Hays, Honneus, Hughes, Hungate, Inman, Kiser, Long of Jackson, Lopp, McCarthy, McClasky, McFadin, McMurray, Miller, Montgomery, Newcomb, O'Neil, North, Ratliff, Rosser, Seammahorn, Shanks, Shields, Shoaff, Shull, Smith of Lagrange, Smith of Wabash, Tebbs, Thacher, Thrasher, Van Valkenburg, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Woods, and Mr. Speaker—64.

So the motion to lay on the table did not prevail.

The question being on the adoption of the resolution reported by Mr. Honneus.

Mr. Newcomb offered the following amendment:

Amend by providing that the commission shall be appointed by the Governor, and that said commission, one of whom shall be a lawyer, and the other men experienced in the tax laws of the State, shall report to the Governor the draft of a bill to secure a just valuation of railroad property for taxation, and to insure the prompt payment of the taxes so assessed; and that the report of said commission shall be laid before the General Assembly at its next session.

Mr. Tebbs moved to lay the amendment on the table.

Which was not agreed to.



The question being on the amendment offered by Mr. Newcomb.

Mr. Chambers moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the amendment by Mr. Newcomb.  
It was agreed to.

The question being on the resolution reported by Mr. Honneus,  
as amended.  
It was agreed to.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit :

*Resolved by the Senate, the House of Representatives, That the Librarian be and he is hereby instructed to procure all the documents printed for the use of the Legislature, and place the same in the care of the Doorkeepers of each house for distribution among the members thereof.*

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House that he has signed enrolled Senate acts, Nos. 70 and 161, and the same are herewith presented herewith presented for the signature of the Speaker of the House thereto.

Also, that the Senate has passed Engrossed House bill No. 286, entitled a bill providing for the erection of a suitable building for the use of the Supreme Court and State officers; for borrowing

money from the Sinking Fund therefor, and securing the repayment of the same making; certain regulation touching the Law Library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodations until such building is complete.

With the following engrossed amendments thereto, to-wit:

Amend section two by striking out the words, "together with the Judges of the Supreme Court."

Also amend section three by striking out of the sixth line of said section the word "the" and insert in said line before the word "bond" "a non-negotiable."

The foregoing message from the Senate was taken up, and, on motion, the engrossed Senate amendments therein contained were concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

The Speaker announced that he had signed Senate bills Nos. 28, 161 and 70.

Mr. Campbell moved to take up House bill No. 345.

Which was passed over informally.

#### SPECIAL ORDER FOR THE DAY.

The hour having arrived for the consideration of Senate joint resolutions Nos. 5 and 9.

Senate Joint Resolution No. 5. A joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have given notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.

Was read a second time.

Mr. Newcomb offered the following amendment:

Add to said joint resolution, the following: "or in the presence

of the chairman of said committees after the adjournment of the present session of this General Assembly."

Mr. Tebbs moved to lay the amendment offered by Mr. Newcomb, on the table.

Which was not agreed to.

The amendment was agreed to.

The question being, shall Senate Joint Resolution No. 5 pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Crain, Crowe, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—85.

Mr. Shields voting in the negative.

So Senate joint resolution No. 5 passed.

The question being, shall the title, as read, stand as the title to said joint resolution?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said joint resolution.

Senate Joint Resolution No. 9. A joint resolution relative to an appropriation for improving the harbor at Michigan City.

Was read a second time.

The question being, shall Senate joint resolution No. 9 pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfin, Woods, Wright, and Mr. Speaker—82.

No one voting in the negative.

So the Senate joint resolution No. 9 passed.

The question being, shall the title, as read, stand as the title to said joint resolution pass?

It was so ordered.

*Ored,* That the Clerk inform the Senate of the passage of said joint resolution.

House bill No. 301 was, on motion, taken up.

House bill No. 301. A bill donating certain real estate in the village of Rome City, in the county of Noble, and the State of Indiana, to said village for educational purposes.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bischof, Black, Blanch, Brucker, Campbell, Carter, Chambers, Crain, Daggy, Danaldson, Douglass, Dunn,

Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Litson, Long of Jackson, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Peelle, Prather, Ross, Rosser, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker 76.

Those who voted in the negative were,

Messrs. Long of Kosciusko, Shanks, and Stackhouse—3.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Tebbs introduced

House Joint Resolution No. 30. A joint resolution instructing our Senators and requesting our Representatives to secure the passage of an amendatory act to existing pension laws.

Which was read a first time, and referred to the Committee on Federal Relations.

Mr. Miller offered the following resolution :

*Resolved*, That the Committee on Ways and Means be instructed to inquire what amount is due to Henry Hall, surviving partner in interest, of the firm of Moorhead, Hall & Co., by virtue of a joint resolution approved March 5, 1855, and when the same is ascertained to put the same in the specific appropriation bill.

Mr. Stafford moved to lay the resolution on the table.

Which was agreed to.

Mr. Miller moved to take up Senate message.

Which was agreed to.

## ORDERS FOR THE DAY.

House Joint Resolution No. 9. A joint resolution declaring that there is now no law in force authoring the payment of any money out of the State Treasury, for the purpose of defraying the expenses of the Indiana Military Agency for soldiers' claims, at Indianapolis, Ind., or the State Military Agency, acting in connection therewith, at Washington City, District of Columbia, or the salaries of clerks, office rent, or other expenses, connected with said Agencies, and abolishing the so-called offices, and providing the further payment of any money from said treasury, for the use and benefit of said Agencies, and to provide for the closing up of such business and discontinuance of said offices.

Was taken up, with the following engrossed amendments of the Senate, to-wit:

A joint resolution establishing Military Agencies for collecting bounties, back pay and pensions due to soldiers, and soldiers' widows and orphans.

Section 1. *Be it resolved by resolved by the General Assembly of the State of Indiana*, That the Governor of the State be and hereby is authorized to appoint two Military Agents for the State of Indiana, one of whom shall reside in the City of Washington, and the other in the City of Indianapolis, whose duty it shall be to prosecute and collect, free of charge, bounties, back pay and pensions due to soldiers, and soldiers' widows and orphans. Such Agents shall continue in office one year from the date of their appointment.

Section 2. The sum of five thousand dollars is hereby appropriated to carry into effect the purposes of this resolution for each of the years 1867 and 1868.

The engrossed Senate amendments were read.

Mr. Miller offered the following amendment:

Amend by striking out the Senate amendment and insert the following:

*Resolved*, That the sum of twenty thousand dollars be and the same is hereby appropriated for each of the years 1867 and 1868, to carry on and establish Military Agencies for the collection, free of charge, of the claims of soldiers' widows and orphans for bounties, pensions and back pay against the Government, and the Governor is hereby authorized and directed to appoint an agent in each county to collect the said claims, free of charge; that in the appointment of such agents, preference shall be given to crippled and disabled soldiers, and that each agent shall receive, out of said appropriation, the sum of one dollar and fifty cents for each claim by him collected, and said agents shall not charge or receive from any applicant any fee or reward for his services. The said agents shall draw their pay from the State Treasurer, on the warrant of the Auditor, on presentation of the name and number of each claim collected, to the truth of which he shall attach his affidavit, and file the same with the Auditor.

Which was ruled, by the Speaker, to be out of order.

Mr. Litson offered the following amendment:

Amend the first section by inserting after the word "Indianapolis," "both of whom shall have served at least three years in the volunteer army of the United States in the late rebellion, and shall have received an honorable discharge from said service, or shall have been wounded while in the service; and all of the clerks, subordinates and employees of said agents shall have the like qualifications.

Which was ruled out of order by the Speaker.

Mr. Blanch moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.



The question being on concurring in the engrossed amendments by the Senate.

Messrs. Stafford and Thacher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Ferris, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thomas, Wason, Watson, Wolfer, Wolflin, Woods, and Wright—49.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Bobo, Brucker, Carter, Corey, Crowe, Douglass, Evans, Greene, Hays, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, McFaddin, Montgomery, O'Neil, Shanks, Shields, Stackhouse, Stafford, Thacher, Thrasher, Van Valkenburgh, Williams, Wilson, White, Wolfe, and Mr. Speaker—35.

So the amendments were concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate disagrees to the House amendments to Senate bill No. 2, entitled a bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and providing compensation for the services of such officers. And the Senate respectfully ask for a Committee of Conference thereon.



And, in obedience to the will of the Senate, the President therof has appointed Senators Bennett, Howk, and Church, a Committee of Conference, on the part of the Senate.

Mr. Higgins moved that the House reciprocate the action of the Senate, and that a committee of three be appointed a Committee of Free Conference, on the part of the House.

Which was agreed to.

The Speaker appointed Messrs. Higgins, Ross, and Miller, as such committee.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that Enrolled Senate acts Nos. 105 and 13 have been transmitted to the Executive Department.

And, also, that the President has signed Enrolled House act No. 15, and herewith returns the same.

Mr. Newcomb, by consent, introduced

House bill No. 349. An act supplemental to, and declaratory of the meaning of an act passed at the Special Session of the General Assembly, begun on the 13th day of November, 1865, and entitled "an act to secure a just valuation and taxation of all railroad property within this State; to legalize the valuation, assessment, adjustment and payment of taxes for such property made subsequent to the year 1859.

Which was read a first time.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a second time by its title, and a third time by sections, to-day.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Blanch, Bobo, Brucker, Campbell, Carter, Corey, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McLean, McMurray, Moore, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Scammahorn, Shields, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods, Wright, and Mr. Speaker—71.

No one voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and House bill No. 349 was read a second time by title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Scammahorn, Shanks, Shields, Shook, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thacher, Thrasher, Thomas, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods, Wright, and Mr. Speaker—74.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

House Joint Resolution No. 13. A joint resolution instructing our Senators, and requesting our Representatives in Congress, to secure the passage of a law by which the damage and losses incurred by certain citizens of Indiana by the Morgan raid may be paid.

Was read a third time.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Corey, Crain, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Fuller, Geisendorff, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Lopp, Martin, Mason, McClasky, McFadin, McMurray, Moore, Montgomery, O'Neil, North, Peelle, Prather, Ratliff, Scammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thacher, Thrasher, Thomas, Van Valkenburgh, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods, and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Chambers, Gordon, and McCarthy—3.

So joint resolution No. 13 passed.

The question being, shall the title, as read, stand as the title to said joint resolution.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said joint resolution.

House Joint Resolution No. 20. A joint resolution to give prisoners of war extra pay, while prisoners of war.

Was read a third time.

The question being, shall said joint resolution pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Corey, Crain Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, O'Neil, North, Peelle, Prather, Ratliff, Scamahorn, Shanks, Shields, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher Thrasher, Thomas, Watson, Williams, Wilson, White, Wolfe, Wolfer, Woods and Mr. Speaker—79.

No one voting in the negative.

So House joint resolution No. 20 passed.

The question being, shall the title, as read, stand as the title to said joint resolution?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said joint resolution.

Engrossed House bill No. 222. A bill to amend section seventy-seven of an act entitled "an act repealing all former laws now in force for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and repealing other matters properly connected therewith, and repealing certain acts therein."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Blanch, Brucker, Chambers, Corey, Crowe, Daggy, Danaldson, Dunn, Ervin, Evens, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Kiser, Long of Kosciusko, Martin, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Montgomery, O'Neil, North, Peelle, Prather, Scammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Watson, Wilson, White, Wolfe, Wolfer, Woods, Wright and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Douglass, Hungate, Inman, Mason, Shields and Thacher—6.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that enrolled Senate act Nos. 161, 28 and 70, have been transmitted to the Executive Department.

House bill No. 105. A bill defining the crime of conspiracy, and prescribing the punishment therefor, and repealing an act entitled "an act defining what shall constitute certain felonies, and fixing the penalties therefor."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Blanch, Brucker, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Griggs, Greer, Hartman, Hamilton, Hays, Higgins, Hostetter, Hudson, Hughes, Inman, Kiser, Long of Jackson, Mason, McCarthy, McClasky, McFadin, McMurray, Moore, Morrison, Montgomery, O Neil, North Peelle, Prather, Ratliff, Scammahorn, Shanks, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Watson, Williams, Wilson, White, Wolfe, Wolfer Woods and Mr. Speaker—68.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Blanch, the House adiourned.

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TWO O'CLOCK, P. M.

The House met.

Mr. Wolfe moved to take House bill No. 229 from the table and place the same on the files of the House.

Which was agreed to.

Mr. Higgins moved to take up Senate bills on third reading, till five o'clock this afternoon.

Which was agreed to.

Mr. Newcomb, by consent, introduced

House bill No. 350. A bill for making specific appropriations for the year one thousand eight hundred and sixty-seven.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a first time by its title, and a second and third times by sections, to-day.

The ayes and noes were taken as required by the Constitution.

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Brucker, Campbell, Chambers, Corey, Crain Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Funk, Fuller, Geisendroff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Kiser, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadden, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ross, Rosser, Scammahorn, Shanks, Shook, Shoaff, Shull, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White Wolfe, Wolfer Wolflin, Woods, Wright and Mr. Speaker—79.

Those who voted in the negative were,

Messrs. Baker, Barritt, Lopp and Shields—4.

So it was deemed expedient and the constitutional rule was suspended, and said bill was read a first time by its title.

House bill No. 350 was read a second time and considered by sections.

Mr. Crain moved to strike out section seventeen.

Which was not agreed to.

Mr. Wolfe moved to strike out section nineteen.

Which was declared by the Speaker to be out of order.

Mr. Hartman moved the previous question.

Which was seconded by the House.

The question being on adopting section nineteen.

It was agreed to.

Mr. Stafford offered the following amendment:

Amend by inserting the following:

Sec. —. That the State Printer be allowed the sum of one thousand and eighty dollars for printing two thousand copies of the acts of 1865 in the German language, now on deposit in the Secretary's office.

Mr. Stafford moved to reconsider the vote by which the House refused to allow W. R. Holloway, State Printer, a certain claim for printing documents in the German language contrary to law.

Mr. Chambers moved to lay the motion to reconsider on the table.

Which was agreed to.

The Speaker announced that he had signed House bill No. 319.

Mr. Van Valkenburg offered the following amendment:

Sec. —. That A. E. and W. H. Drapier be allowed for the number of copies of the Brevier Legislative Reports, furnished every session since 1857, the same price paid for the last several volumes.

Mr. Higgins moved to make the amendment offered by Mr. Van Valkenburgh, the special order for Monday next at 2 o'clock, P. M.

Which was agreed to.

Mr. Campbell moved to amend section ten by striking out the name of Robert O. Dormer, and insert that of Philip A. B. Kennedy.



Mr. Ratliff moved to lay the amendment offered by Mr. Campbell, on the table.

Which was agreed to.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives, that he has signed House enrolled act No. 319, and returns the same herewith.

Mr. Newcomb offered the following amendment :

That the sum of four thousand six hundred and twenty dollars and eighty-three cents, is hereby appropriated to pay the balance due from the State, for the establishment and improvement of the Soldier's National Cemetery, at Gettysburg.

Which was agreed to.

Mr. Newcomb offered the following amendment :

That a sum not exceeding six thousand one hundred and thirty-two dollars and twenty-eight cents is hereby placed at the disposal of the Governor to pay Indiana's share of the expense of establishing and maintaining the Antietam National Cemetery.

Which was agreed to.

Mr. Foulke offered the following amendment :

That Thomas F. Howells be allowed one hundred and twenty dollars for furnishing twenty recruits for the United States infantry service.

Which was not agreed to.

Mr. Woods offered the following amendment :

Sec. —. That the sum of three hundred and twenty-five dollars be allowed John A. Watson; that the sum of four hundred and seventeen dollars be allowed Erastus W. H. Ellis, and the sum of four hundred and seventy-five dollars be allowed T. J. Dela Hunt for their services as members of the Sinking Fund Investigating

Committee, and that the sum of three hundred and fifty dollars be allowed Charles P. Jacobs, jr., for services as Clerk of said Committee.

Which was agreed to.

Mr. Kiser offered the following amendment :

That the sum of six thousand dollars be hereby appropriated to erect a monument to the memory of General Anthony Wayne, in the county of Allen.

Which was not agreed to.

Mr. Newcomb moved that House bill No. 350, as amended, be considered engrossed, and read a third time now. .

Which was agreed to.

And on said motion Mr. Newcomb moved the previous question, Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

House bill No. 350. A bill making specific appropriations for the year one thousand eight hundred and sixty-seven.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Kiser, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfliu, Woods, Wright, and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Baker, Barritt, Bird, Black, Bobo, Brucker, Carter, Corey, Crowe, Douglass, Edmonson, Fuller, Greene, Honneus, Hostetter, Hungate, Long of Jackson, Lopp, McFadin, Montgomery, O'Neil, Ross, Shanks, Shields, Shoaff, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White and Wolfe—35.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bill No. 319, have carefully compared it with the engrossed copy thereof, and have directed me to report that they find the same correctly enrolled.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in House engrossed amendments to Senate bill No. 37.

Mr. Carter obtained leave of absence during the remainder of the session.

Mr. Ross, from the Committee on the Judiciary, made the following majority report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House H. J.—70.

bill No. 341 upon the subject of taxing the shares owned in banks and banking associations in this State, have had the same under consideration, and a majority of said committee have authorized me to report the same back and recommend its indefinite postponement, for the following reasons :

The bill contemplates the taxing of shares in the capital stock of all banks and banking associations, chartered or organized under the laws of this State, as also such as are chartered or organized under the laws of the United States, for general and also for municipal purposes. Can this be done? We think not.

Section fifteen of an act entitled "an act to establish a bank with branches, provides that the capital stock of said banks shall be subject to the same rate of taxation for State and county purposes as the property or stock of other corporations," etc., but the capital stock of said bank or branches shall not be taxable for municipal purposes. This charter can only be amended by, and with the consent of the President and Directors of each branch, and not otherwise.

This act of incorporation reserves to the State the right to tax the capital stock of the corporation, which is a definite and fixed sum, and that only. It is the corporation that must be taxed, and not the individuals composing it. It is therefore apparent that the taxing of the individual shares composing the capital stock, to the individual owners, is a violation of this charter.

Section nine of this bill proposes to tax such shares for municipal purposes. It will hardly be insisted that if the capital stock, as a unit, is exempt from taxation for such purposes, that the shares, which are the component parts of such capital stock, are not equally protected by the exemption.

If, then, we cannot tax the shares of stock in the Bank of the State as the property of the individual owners or holders thereof, we cannot tax the shares in the National banks, for it is expressly provided by the act of Congress authorizing their organization, that such shares shall not be taxed at a higher rate than the taxes imposed by law upon the shares in any of the banks organized under the authority of the State where such bank is situated. And as section fifteen of this act, chartering the Bank of the State, above referred to, expressly exempts its stock from taxation for municipal

purposes, we think it clear that the stock of the National banks are alike exempted.

In conclusion we would say that we think the stock of these banks should be required to bear their equal burthen of taxes; yet we do not see, from the very limited consideration we have been able to give the subject, how it can be done.

Mr. McFadin, from the same committee, made the following minority report:

MR. SPEAKER:

The undersigned of the Judiciary Committee respectfully submit to the consideration of the House the following minority report on House bill No. 341, in reference to taxing the stocks of National banks, which was referred to said committee:

Whereas, the capital on which the National banks are founded, consist mostly of United States bonds, drawing seven and three-tenths interest semi-annually, and which are not taxable; therefore, we consider that it is right and lawful that the stock in National banks should be taxed as any other property, and help to pay the expenses of the Government, and hope that the majority report of the committee will not be adopted.

The question being on adopting the minority report of said committee.

Mr. Chambers moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

Messrs. Thacher and Vawter demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bird, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Corey, Crowe, Danaldson, Edmonson, Evans, Ferris, Funk, Geisendorff, Gordon, Hartman, Higgins, Hopkins,

Honneus, Hostetter, Hudson, Hungate, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolflin Wright and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Belford, Daggy, Dunn, Foulke, Griggs, Hughes, McLean, Miller, Peelle, and Wolfer—10.

So the minority report of the committee was concurred in.

The question being in concurring in the majority report as amended by the minority report.

It was agreed to.

House bill No. 341. A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations, doing business in this State.

Was read a second time.

Mr. Newcomb moved to strike out section nine.

Which was agreed to.

Mr. Hughes offered the following amendment:

That nothing in this, or any other act, shall be so construed as to authorize the taxation of stock in the Bank of the State of Indiana, or in any National Bank, for municipal purposes.

Which was agreed to.

Mr. Ross moved to amend as follows:

Amend section four by adding: *Provided, however,* That if the owner or holder of such stock does not reside in the county where such bank is situate, said stock shall be assessed for county purposes in the county where such owner resides.

Mr. Hughes moved the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
It was so ordered.

The question being on the amendment by Mr. Ross.

Messrs. Miller and Crain demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Crain, Crowe, Danaldson, Dunn, Edmonson, Evans, Foulke, Funk, Gordon, Greene, Honneus, Hughes, Kiser, Martin, McLean, Miller, Moore, Morrison, O'Neil, North, Peelle, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shields, Shull, Smith of Wabash, Van Valkenburgh, Wilson, Wolfer, and Mr. Speaker—34.

Those who voted in the negative were,

Messrs. Barritt, Bischof, Black, Brucker, Carter, Campbell, Corey, Daggy, Douglass, Ervin, Ferris, Geisendorff, Greer, Griggs, Hartman, Higgins, Hopkins, Hostetter, Hudson, Hungate, Litson, Long of Kosciusko, Lopp, Mason, McClasky, McFadin, McMurray, Montgomery, Newcomb, Prather, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, White, Wolfe, Wolflin, Woods, and Wright—53.

So the amendment was not agreed to.

Mr. Higgins moved that when the House adjourns it adjourn till to-morrow morning at 9 o'clock.

Which was agreed to.

Mr. Miller moved that the House do now adjourn.

Which was not agreed to.

House bill No. 341. A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State.

Was read a third time.



The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Black, Brucker, Campbell, Carter, Chambers, Corey, Crain, Crowe, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ross, Rosser, Scamahorn, Shanks, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolfli, Woods, Wright, and Mr. Speaker—84.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill ?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Governor, by Mr. Commons, his Private Secretary :

MR. SPEAKER :

I am directed by the Governor to inform the House that he has approved and signed Enrolled Act No. 15—an act to carry out the provisions of an act entitled “an act to create a State Normal School, and declaring an emergency,” approved December 20, 1865, and to appropriate the funds necessary for the erection of the State Normal School, and providing from what fund the same shall be taken and appropriated.



Also, Enrolled Act No. 319—an act authorizing the appropriation of money out of the State Treasury for the use of the State University at Bloomington, Monroe county.

WHEREAS, The endowment fund of the State University, located at Bloomington, Monroe county, is no longer sufficient to meet the growing wants of education, and make said University efficient and useful;

AND WHEREAS, It should be the pride of every citizen of Indiana to place the State University in the highest condition of usefulness, and make it the crowing glory of our present great Common School system, where education shall be free;

[Copy of resolution not furnished State Printer.]

And that the same have been deposited in the office of the Secretary of State.

Mr. Ferris moved to take up Senate bill No. 41, and place the same on the files of the House.

Which was agreed to.

Mr. Scammahorn moved to reconsider the vote by which Senate bill No. 46 failed to pass.

Which was agreed to.

Mr. Foulke moved to refer Senate bill No. 46 to a special committee of five.

Which was agreed to.

The Speaker announced as such special committee Messrs. Hughes, Morrison, Spencer, Newcomb and Stackhouse.

Mr. Miller moved to take up Senate bill No. 175.

Which was agreed to.

Senate bill No. 175, was read a second time and passed to a third reading.

Mr. Gordon moved to take up Senate bill No. 244.

Which was agreed to.

Senate bill No. 244, was read a second time and passed to a third reading.

Mr. Dunn moved to take up Senate bill No. 215.

Which was agreed to.

Senate bill No. 215. A bill to prevent the spread of disease commonly called "hog cholera," and other diseases, among domestic animals.

Which was read a second time.

Mr. Dunn offered the following amendment :

Amend by inserting the following section after section three :

Sec. 4. Any person, or persons, importing into this State any hog, shoat, or other domestic animal affected with any contagious or infectious disease, shall be liable to the penalties hereinbefore mentioned.

Which was agreed to.

Said bill was then ordered to be engrossed and passed to a third reading.

On motion by Mr. Miller, the House adjourned.

SATURDAY MORNING, 9 o'clock, }  
 March 9, 1867. }

The House met.

On motion by Mr. Shuey, the reading of the Journal was dispensed with.

Mr. Wolfe moved that House bill No. 291 be taken up and placed on the files of the House.

Which was agreed to.

#### REPORTS OF STANDING COMMITTEES.

Mr. Baker, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred Senate bill No. 211, a bill to amend an act entitled "an act to amend section 352 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State," &c.—have considered the same, and instructed me to report said bill back and recommend that it be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

Mr. Daggy, from the Committee on the Judiciary, made the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill No. 129—providing that cases for trial shall not be called before the third day of the term—have had the same under consideration, and directed me to return the same, with instructions that the same be indefinitely postponed.

Which was concurred in, and the bill indefinitely postponed.

Mr. Crain, from the Committee on Railroads, made the following report :

MR. SPEAKER :

The Railroad Committee, to whom was referred Senate bill No. 91—a bill to provide for rules and by-laws for such roads, and providing punishment for violations therefor—have had the same under consideration, and direct me to report the same back to the House and recommend that the same be laid on the table.

Which was agreed to.

Mr. McCarthy, from the Joint Committee on the State Library, made the following report :

MR. SPEAKER :

The Joint Committee on the State Library, to whom was referred the report of the State Librarian, have had the same under consideration, and make the following report :

Your committee would state that they find the Library in good condition and neatly and tastefully arranged, notwithstanding its crowded condition. Several hundreds of volumes of books, records and public documents are stored away in the cellar for want of room in the Library. Properly the rooms occupied by the Adjutant General should be vacated for the purposes of the Library. Many valuable additions have been made to the Library since the last session in books, public documents and trophies of the late rebellion.

Your committee would further add that the careful and diligent manner in which this State department has been presided over reflects great credit on the present Librarian.

Which was laid on the table.

Mr. Campbell, from the Special Committee, made the following report :

MR. SPEAKER :

The Special Committee, to whom was referred House bill No. 345, have had the same under consideration, and have directed me

to report the following amendment, and when so amended recommend its passage :

That the Courts of Common Pleas in the Twelfth Judicial District of said State shall hold their terms as follows :

In the county of Hendricks on the first Monday in May and first Monday in September, and in the county of Marion on the third Monday in January, second Monday in June, and fourth Monday in September of each year.

The said court shall sit in the county of Hendricks two weeks at each term, if the business shall require it, and in the county of Marion seven week at the January and September terms, and four weeks at the June term, if the business shall require it.

The amendments were read and concurred in.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following joint resolution, to-wit :

Senate Joint Resolution No. 10. A joint resolution in reference to the imprisonment in Canada of Rev. John McMahan.

Also, that the Senate has passed engrossed House bill No. 148, entitled a bill to amend the first section of an act entitled "an act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same, approved March 3, 1859, so as to protect sidewalks outside of towns and villages."

#### SENATE BILLS ON THIRD READING.

Senate bill No. 63. A bill for the repeal of Statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same, or for a violation thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bird, Bischof, Brucker, Campbell Chambers, Crain, Crowe, Daggy, Douglass, Edmonson, Evans, Ferris, Funk, Gordon, Griggs, Hartman, Hopkins, Honneus, Hostetter, Inman, Kiser, Long of Jackson, Lopp, Martin, Mason, McCarthy, McLean, Miller, Moore, Morrison, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Williams, Wilson, White, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—65.

Those who voted in the negative were,

Messrs. McFadin and Wolfe—2.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 22. A bill regulating the fees of Clerks of Courts, Justices of the Peace, and Notaries, in certain cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Edmonson, Ervin, Evans, Ferris, Funk, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hostet-

ter, Hudson, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, Miller, Moore, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Seammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—70.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has reconsidered the vote by which House bill No. 278 was passed by the Senate.

Also, that the Senate has concurred in engrossed House amendments to Senate joint resolution No. 5.

Senate bill No. 30. A bill to provide for the protection of fish, defining the time in which they may be trapped, netted or seined, affixing the penalty for the violation of this act, and declaring an emergency.

Was read a third time.

The amendments were read and agreed to.

Mr. Shuey offered the following amendment:

Amend by adding: *Provided, however*, That the penalties pre-

scribed in this act shall not be enforced against persons taking fish out of the Ohio and St. Joseph rivers.

Which was agreed to.

The amendments were then ordered to be engrossed.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bird, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Crain, Douglass, Dunn, Ervin, Evans, Ferris, Funk, Fuller, Gordon, Griggs, Hartman, Hamilton, Higgins, Honneus, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Seammahorn, Shook, Shoaff, Shuey, Smith of Wabash, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Watson, White, Wolfer, Woods, and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Carter, Crowe, Daggy, Edmonson, Hostetter, Hungate, Kiser, Lopp, McClasky, O'Neil, Shanks, Shields, Shull, Skidmore, Smith of Lagrange, Wason, Wilson, Wolfe, and Wright—18.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 32. A bill to provide for issuing *capias ad satisfaciendum* when, in actions for replevin of personal property, defendant shall fraudulently conceal, remove, transfer, withhold, or refuse to deliver, said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.

Was read a third time.



The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Black, Blanch, Brucker, Campbe., Chambers, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Funk, Gordon, Greene, Griggs, Hartman, Hamilton, Higgins, Honneus, Hostetter, Hudson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Morrison, North, Peelle, Prather, Ratliff, Sabin, Scammahorn, Shook, Shoaff, Shull, Shuey, Smith of Wabash, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfli, Woods, and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Baker, Edmonson, Hopkins, Hungate, Inman, Kiser, McFadin, O'Neil, Thacher, White, Wolfe, and Wright—11.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 43. A bill to amend section fifteen of an act entitled "an act to provide for the opening, vacating and change of highways," approved June 17, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bird, Bischof, Black, Blanch, Campbell, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hostetter, Hudson, Hungate, Kiser, Long of Jack-

son, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, North, Peelle, Prather, Ratliff, Sabin, Scammahorn, Shields, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Stafford, Stewart, Tebbs, Thomas, Wolfer, Wolfen, Woods, and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Honneus, Inman, O'Neil, Ross, Shook, Thacher, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, and Wright—15.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 58. A bill to amend an act entitled "an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Funk, Gordon, Greer, Griggs, Hartman, Higgins, Hopkins, Hudson, Hungate, Kiser, Long of Kosciusko, Martin, Mason, McClasky, McLean, Moore, Morrison, North, Peelle, Prather, Ratliff, Shook, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stew-

art, Thrasher, Wason, Watson, Wolfer, Wolflin, Woods, and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Honneus, Hostetter, Miller, Montgomery, O'Neil, Ross, Rosser, Sabin, Scammahorn, Shields, Shuey, Tebbs, Thacher, Thomas, Van Valkenburgh, Vawter, Williams, White, Wolfe, and Wright—20.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled bills, to whom was referred enrolled bill No. 148, have carefully compared it with the engrossed copy thereof and have directed me to report the same correctly enrolled.

The Speaker announced that he had signed House bill No. 148.

Senate bill No. 8. A bill to provide for the care and custody of the person and estate of habitual drunkards.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bischof, Black, Blanch, Campbell, Chambers, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greene, Greer, Griggs, Hamilton, Hays, Higgins, Hop-  
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kins, Honneus, Hudson, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Newcomb, North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shanks, Shook, Shoaff, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Woods, Wright and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Barritt, Bird, Bobo, Brucker, Crowe, Edmonson, Hostetter, Hungate, Inman, Kiser, Lopp, McFadin, McLean, O'Neil, Ratliff, Shields, Shull, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White and Wolfe—25.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President to inform the House of Representatives that the Senate has passed the following House joint resolutions:

House Joint Resolution No. 13, entitled a joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law by which the damage and losses incurred by certain citizens of Indiana, by the Morgan raid, be paid.

Also, House Joint Resolution No. 20, entitled a joint resolution to give prisoners of war extra pay while prisoners of war.

Senate bill No. 86, a bill supplemental to an act entitled an act for the incorporation of high schools, academies, colleges, universities, theological institutes and missionary boards, approved February 28, 1855.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bischof, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Corey, Daggy, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Foulke, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Long of Jackson, Long of Kosciusko, McClasky, McFadin, McLean, McMurray, Miller, Morison, Moore, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Woods, Wright and Mr. Speaker—79.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill ?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 11. A bill to amend section three and fourteen of an act entitled an act to allow county commissioners to organize turnpike companies where three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same to be free, approved March 6, 1865.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Black, Blanch, Brucker, Campbell, Carter, Chambers, Corey, Crain, Daggy, Danaldson, Douglass,

Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Kosciusko, Martin, McCarthy, McClasky, McLean, McMurray, Moore, Morrison, Montgomery, North, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Vawter, Wason, Watson, Wilson, Wolfli, Woods, Wright and Mr. Speaker—73.

Those who voted in the negative were,

Messrs. Honneus, Long of Jackson, McFadin, Miller, Shields, Stackhouse, Williams and Wolfe—8.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill?

Senate bill No 47. A bill authorizing Board of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Campbell, Chambers, Corey, Crain, Daggy, Danaldson, Douglass, Dunn, Ervin, Ferris, Foulke, Funk, Greer, Griggs, Hartman, Hamilton, Hopkins, Hungate, Long of Kosciusko, Martin, Mason, McCarthy, McLean, Moore, Miller, Peelle, Prather, Ratliff, Sabin, Shook, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, White, Wolfli and Woods—51.

Those who voted in the negative were,

Messrs. Bird, Bobo, Evans, Honneus, Hostetter, Hudson, Lopp, McClasky, McFadin, McMurray, Morrison, O'Neil, North, Ross, Scammahorn, Shanks, Stackhouse, Williams, Wilson Wolfe, Wolfer and Mr. Speaker—22.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 111. A bill authorizing Township Trustees, Trustees of incorporated towns and the Common Council of cities to levy a tax for school purposes.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bird, Bischof, Brucker, Campbell, Chambers, Crain, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Greer, Griggs, Hartman, Hopkins, Honneus, Hostetter, Hudson, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Moore, Morrison, O'Neil, North, Peelle, Prather, Ratliff, Ross, Sabin, Shields, Shoaff, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Wolfer, Wolflin, Woods and Wright—62.

Those who voted in the negative were,

Messrs. Black, Bobo, Corey, Edmonson, Inman, Newcomb, Shull, Thacher, Williams, White, Wolfe and Mr. Speaker.—12.

So the bill passed.



The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 143. A bill to amend an act entitled "an act for the incorporation of high schools, academies, colleges, universities, theological and missionary boards," approved February 28, 1855

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Bobo, Campbell, Chambers, Corey, Daggy, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Funk, Gordon, Greer, Hartman, Hamilton, Hopkins, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McFadin, McMurray, Miller, Montgomery, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, White, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—67.

Those who voted in the negative were,

Messrs. O'Neil, Shields, Williams and Wolfe—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.



Mr. Hughes moved to direct the Swamp Land Committee to return Senate bill No. 218, that the same may be placed on the regular files.

Which was agreed to.

Mr. Woods, from the Committee on Swamp Lands, by consent, made the following report :

MR. SPEAKER :

As Chairman of the Committee on Swamp Lands, I report back to the House, Senate bill No. 218, without recommendation, for want of time.

Which was laid on the table.

Senate bill No. 93. A bill concerning interest on money and to provide for the recoupment of usurious interest.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Bobo, Brucker, Campbell, Carter, Chambers, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Funk, Geisendorff, Hartman, Higgins, Honneus, Hudson, Hughes, Kiser, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, O'Neil, North, Peelle, Prather, Ross, Rosser, Shull, Shuey, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, White, Wolfer, and Wolflin—51.

Those who voted in the negative were,

Messrs. Bird, Corey, Crowe, Douglass, Edmonson, Foulke, Gordon, Greer, Griggs, Hostetter, Inman, Litson, Long of Jackson, Long of Kosciusko, Morrison, Montgomery, Newcomb, Sabin, Shanks, Shields, Shook, Shoaff, Stackhouse, Stafford, Tebbs, Thacher, Vawter, Wolfe, Woods, Wright, and Mr. Speaker—31.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled House Act No. 148, entitled an act to amend the first section of an act entitled "an act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same," approved March 3, 1859, so as to protect sidewalks outside of towns and villages; and returns the same herewith.

Also that he has signed Senate Joint Resolution No. 9—entitled a joint resolution relative to an appropriation for improving the Harbor at Michigan city.

Also, Senate Joint Resolution No. 5—entitled a joint resolution directing the burning of cancelled bills of broken and closed banks, and the burning of unsigned bills of free banks, broken and closed, and of such banks as have give notice of their closing, and for the destruction of the plates for printing the bills of such broken, closed and closing banks.

Also, Senate Enrolled Act No. 22—entitled "an act regulating the fees of Clerks of Courts, Justices of the Peace and Notaries Public in certain cases.

Which are herewith presented for the signature of the Speaker.

I am also directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof, to-wit:

Engrossed Senate bill No. 240—entitled "an act fixing the time of holding the Circuit Courts in the First Judicial Circuit, and re-

pealing all laws in conflict therewith, and making all writs, summons and process returnable thereto."

In which the concurrence of the House is respectfully requested.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred enrolled joint resolutions Nos. 13 and 20, have carefully compared therewith the engrossed copy thereof, and have directed me to report the same correctly enrolled.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred Enrolled Joint Resolution No. 9, have carefully compared the same with the engrossed copy thereof, and direct me to report the same correctly enrolled.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred Enrolled bill No. 286, have carefully compared it with the engrossed copy thereof, and have directed me to report the same correctly enrolled.

Senate No. bill 174. A bill for the relief of Peter Wells and Benoni Wells.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo,

Brucker, Campbell, Chambers, Corey, Crain, Crowe, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Litson, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison Montgomery, Newcomb, O'Neil, North Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Wilson, White, Wolfe, Woods, Wright, and Mr. Speaker—82.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 152. A bill to legalize and make valid certain county bonds, and to provide for the payment of the same.

Was read a third time.

The question being, shall the bill pass?

Mr. Woods by unanimous consent, moved to amend said bill by inserting the engrossed House amendments as a separate section.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Bischof, Black, Blanch, Bobo, Chambers, Corey, Crowe, Dunn, Ervin, Evans, Ferris, Geisendorff, Gordon, Greene,

Greer, Griggs, Hartman, Higgins, Hopkins, Honneus, Hudson, Hughes, Inman, Kiser, Litson, Long of Jackson, Martin, McCarthy, McClasky, McFadin, Moore, North, O'Neil, Ratliff, Ross, Rosser, Scammahorn, Shook, Shull, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Wolflin, and Woods—53.

Those who voted in the negative were,

Messrs. Belford, Campbell, Daggy, Danaldson, Foulke, Funk, Hostetter, Long of Kosciusko, Lopp, McLean, McMurray, Miller, Newcomb, Peelle, Prather, Sabin, Shanks, Smith of Lagrange, Tebbs, Thacher, Thrasher, Thomas, and Mr. Speaker—23.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following engrossed House bills, to-wit:

House bill No. 275. A bill to amend section three of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142, and 143, of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State, etc.

Also, House bill No. 276, entitled a bill to amend "an act to

amend section 124 of an act entitled an act to provide for the valuation and assessment of real and personal property," etc.

And further, that the President has signed enrolled act of the House No. 9, and enrolled joint resolutions of the House Nos. 13 and 20, and the same are herewith returned.

The Speaker announced that he had signed House bills Nos. 22, 148, and 286; House joint resolution No. 5, and Senate bill No. 63.

Senate bill No. 4. A bill to establish a Home for the maintenance of sick and disabled Indiana soldiers.

Was read a third time, with the engrossed amendments thereto.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Blanch, Brucher, Campbell, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Inman, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Moore, Morrison, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Rosser, Sabin, Seammahorn, Shields, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Douglass, Edmonson, Hughes, Hungate, Kiser, Ross, Shoaff, Stackhouse, Tebbs, Thacher, Williams, White, and Wolfe—13.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Hughes, from the Special Committee on Senate bill No. 46, made the following majority report:

MR. SPEAKER:

A majority of the Special Committee on Senate bill No. 46—an act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof—have had the same under consideration, and direct me to report the same back to the House, with amendments, and when so amended, recommend its passage.

Which was laid on the table.

Senate bill No. 95. A bill to amend an act entitled “an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereto,” approved March 5, 1859, approved December 20, 1865.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Blanch, Bobo, Brucker, Campbell, Chambers, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Higgins, Hopkins, Honneus, Hudson, Hughes, Kiser, Long of Kosciusko, Martin, Miller, Moore, Newcomb, O’Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shook, Shull, Shuey, Smith of Lagrange, Stackhouse, Stafford, Thacher, Vawter, Wason, Watson, Wilson, White, Wolfer, Wolfli, and Woods—52.

Those who voted in the negative were,

Messrs. Bischof, Crain, Gordon, Greer, Griggs, Hartman, Hostetter, McClasky, McMurray, Morrison, Sabin, Shields, Shoaff,



Skidmore, Smith of Wabash, Spencer, Thrasher, Thomas, Wolfe, and Mr. Speaker—21.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 75. A bill for the incorporation of Slackwater Navigation Companies, and defining their powers and duties.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bischof, Black, Blanch, Brucker, Campbell, Carter, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Greer, Griggs, Hartman, Higgins, Honneus, Hudson, Hughes, Kiser, Martin, Mason, McCarthy, McFadin, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ross, Scammarhorn, Shook, Shuey, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thrasher, Thomas, Wason, Watson, Wilson, Wolfe, Wolfer, Wollin, Woods, Wright, and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Hostetter, Inman, Long of Jackson, Long of Kosciusko, Lopp, McClasky, McMurray, Rosser, Sabin, Shanks, Shull, Stackhouse, and Thacher—13.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.



House bill No. 278. A bill to fix the time of holding the Circuit Courts in the Fourth Judicial Circuit, and declaring an emergency,

Having previously been read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Bischof, Black, Blanch, Bobo, Brucker Campbell, Corey, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Hartman, Hays, Higgins, Honneus, Hostetter, Hughes, Inman, Kiser, Long of Kosciusko, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—71.

Mr. Stackhouse voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Evans, from the Committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The Committee on Engrossed Bills, to whom was referred House bill No. 345, have examined the same, and ordered me to report the same correctly engrossed.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed House enrolled act, No. 286, and herewith returns the same ; and that enrolled Senate acts Nos. 63 and 22, and enrolled Senate joint resolutions Nos. 9 and 5 have been transmitted to the Executive department.

Senate bill No. 214. A bill to authorize cities to prepare, execute, negotiate, and sell bonds to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax to provide means for the payment of the interest and principal of such bonds, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bischof, Black, Blanch, Brucker, Crain, Crowe, Daggy, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Griggs, Hartman, Higgins, Hopkins, Hostetter, Hudson, Long of Kosciusko, Martin, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Wason, Watson, Wilson, White, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Bobo, Edmonson, Honneus, Hughes, Inman, Long of Jackson, Shanks, Shields and Wolfe—9.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill ?

Mr. Shuey moved to amend the title so as to read as follows :

A bill to authorize cities and incorporated towns to execute, negotiate and sell bonds to procure means with which to erect and to complete unfinished school buildings, and to pay debts contracted for the erection of such buildings, and authorizing the levy and collection of an additional special school tax for the payment of the principle and interest of such bonds.

Which was agreed to.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

On motion by Mr. Daggy, the House adjourned.

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TWO O'CLOCK, P. M.

The House met.

On motion, Senate bill No. 245 was taken up.

Mr. Newcomb moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a second time by title and a third time by sections, to-day.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Gordon, Greer, Hamilton, Higgins, Hopkins, Hostetter, Hudson, Hughes, Inman, Litson,  
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Long of Jackson, Long of Kosciusko, Lopp, Mason, McCarthy, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Wason, Watson, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Chambers, and Honneus—2.

So the constitutional rule was suspended.

Senate bill No. 245. A bill to repeal section 131 of an act entitled "an act to provide for a general system of Common Schools, the officers thereof, their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bischof, Black, Blanch, Bobo, Brucker, Campbell, Crain, Crowe, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Funk, Geisendorff, Gordon, Greene, Griggs, Hamilton, Higgins, Hopkins, Honneus, Hudson, Hungate, Inman, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Sabin, Shook, Shoaff, Shull, Shuey, Skidmore, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, White, Wolfe, Wolfer, Wolflin, Wright, and Mr. Speaker—66.

Those who voted in the negative were,

Messrs. Chambers, Daggy, Hostetter, Hughes, Litson, Lopp, McLean, Shields, Smith of Wabash, and Woods—10.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following resolution:

*Resolved*, That the House of Representatives be requested to return to the Senate House bill No. 277, with a view of receding from the amendment thereto attached.

Mr. Newcomb moved to take up the Senate message and accede to the request therein made.

Which was agreed to.

Message from the Governor, by Mr. Commons, his Private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform your honorable body that he has approved and signed enrolled act No. 148, an act to amend the first section of an act entitled "an act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same," approved March 3d, 1859, so as to protect sidewalks outside of towns and villages.

Also, Joint Resolution No. 9. A joint resolution establishing military agencies for collecting bounties, back pay, and pensions due to soldiers and soldiers' widows and orphans.

Also, Joint Resolution No. 13. A joint resolution instructing our Senators and requesting our Representatives in Congress, to secure the passage of a law by which the damage and losses incurred by certain citizens of Indiana by the Morgan Raid, be paid.

Also, Joint Resolution No. 20. A joint resolution to give prisoners of war extra pay while prisoners of war.

Also, Enrolled Act No. 286. An act providing for the erection of a suitable building for the use of the Supreme Court and State Officers; for borrowing money from the Sinking Fund therefor, and securing the repayment of the same; making certain regulations touching the Law Library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodation until such building is completed, and that the same have been deposited in the office of the Secretary of State.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed Engrossed House bill No. 348, entitled a bill making general appropriations for the years 1867 and 1868, defining the salaries and official terms of certain officers, repealing certain laws therein named, and declaring an emergency, with the accompanying engrossed amendments thereto.

In which the House is respectfully requested to concur.

Mr. Newcomb moved to take up Senate message containing House bill No. 348, with Senate engrossed amendments thereto.

Which was agreed to.

The following Senate engrossed amendments to House bill No. 348 were read by sections:

1st. In the nineteenth line of the third section, strike out the word "twelve" and insert the word "fifteen."

2d. Strike out the word "each," in the nineteenth line of the third section.

3d. After word "dollars," in the seventh line of the twenty-first section, insert the words, "for finishing the back center building, designed for bakery, laundry, chapel and sewing room, five thousand dollars."

4th. In the twenty-first line of the thirty-fourth section, strike out the word "twelve" and insert the word "fifteen."

5th. Strike out the word "five," where it occurs in reference to the Governor's Private Secretary, and insert the word "ten."

6th. Amend section twenty-eighth so that it shall read as follows :

And the Auditor of State is hereby authorized to draw his warrant on the Treasurer of State for said sum of three thousand dollars, payable to the Treasurer of the State Board of Agriculture, and for said sum of five hundred dollars, payable to the Treasurer of State Horticultural Society: *Provided*, That said sum of money shall be expended for the printing of said reports or so much thereof as may be necessary, and for no other purpose whatsoever.

Which were agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Hughes moved to take up Senate bill No. 46.

Messrs. Hughes and Thacher demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Blanch, Chambers, Crowe, Danaldson, Douglass, Dunn, Ervin, Ferris, Gordon, Greer, Griggs, Hamilton, Hudson, Long of Kosciusko, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, North, Ross, Rosser, Sabin, Shields, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Thomas, Watson, Wilson, White, Wright, and Mr. Speaker—45.

Those who voted in the negative were,

Messrs. Bird, Bischof, Black, Brucker, Campbell, Daggy, Edmonson, Evans, Funk, Geisendorff, Greene, Hays, Higgins, Hopkins, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, McFadin, McLean, Newcomb,



O'Neil, Peelle, Prather, Ratliff, Shook, Shoaff, Shull, Thacher, Van Valkenburgh, Wolfe, Wolfer, Wolflin, and Woods—38.

So Senate bill No. 46 was taken up, with amendments reported by the committee.

The question being on concurring in the report of the Committee and the adoption of the following amendments to Senate bill No. 46 :

Sec. 25. All prosecutions pending in any of the Courts of this State, at the time of the passage of this act, shall proceed to final judgment in all respects as though the same had not been enacted.

Sec. 26. Venders of pure wines, manufactured from grapes grown in the United States, of cider, lager beer, ale, porter, malt beer, small beer, or mead, who shall have complied with the provisions of this act requiring license, shall not be subject to any of the penalties herein prescribed for selling such liquors in any quantities, except as provided in section 28 of this act, so long as they observe the provisions of this act: *Provided*, That any person who shall barter, sell, or give away either native wine, lager beer, malt beer, small beer, ale, or porter, containing any admixture of distilled liquors, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars, and shall forfeit his, her or their license, and all liquors and merchandise on hand in their place of business at the time of the offence, and of the judgment of conviction.

Sec. 27. All persons licensed in pursuance of this act, who by themselves or their agents shall keep a disorderly house, to the prejudice of good morals or the annoyance of the people in the vicinity, shall be deemed guilty of maintaining a nuisance, and, on conviction, shall be subject to the penalties prescribed by law therefor, and the Courts trying the cause shall have power to order and adjudge that said nuisance be abated; and any place in which intoxicating drinks are sold without license is hereby declared and defined to be a nuisance and subject to the penalties aforesaid.

Sec. 28. The parent, guardian, or next of kin of any minor who shall be addicted to habits of drunkenness, shall have a right to maintain an action for damages against any person who shall



barter, sell or give to such minor any intoxicating drink, and shall in such suit for each offence recover one hundred dollars as liquidated damages, with costs.

Which were agreed to.

Senate bill No 46. A bill to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof,

Having previously been read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Campbell, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Gordon, Greer, Griggs, Hartman, Hamilton, Hudson, Hughes, Litson, Martin, Mason, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Ratliff, Rosser, Sabin, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Woods, Wright, and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Baker, Bischof, Black, Bobo, Brucker, Carter, Corey, Crowe, Douglass, Edmonson, Funk, Geisendorff, Greene, Hays, Higgins, Hopkins, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, McFadin, Morrison, Montgomery, O'Neil, Prather, Ross, Scammahorn, Shields, Shook, Shull, Stackhouse, Stafford, Tebbs, Thacher, Van Valkenburgh, Vawter, Watson, Williams, White, Wolfe, and Wolfin—45.

So the bill failed to pass for want of a constitutional majority.

Senate bill No. 76. A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner for the payment of the same.

Was read a third time, and, on motion, laid on the table.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has concurred in engrossed House amendments to Senate bill No. 102.

Also, that the President of the Senate has signed enrolled acts of the Senate Nos. 8 and 111 and the same are herewith transmitted for the signature of the Speaker.

The Speaker announced that he had signed Senate bills Nos. 8 and 111.

Senate bill No. 118. A bill to require Clerks of the Court of Common Pleas to specify the separate items, the fees and services for which they may demand payment of executors, administrators, or guardians.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Honneus, Hudson, Hungate, Inman, Kiser, Litson, Lopp, Martin, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Rosser, Sabin, Scammahorn, Shook, Shull, Shuey, Skidmore, Smith of Wabash, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Wason, Watson, Wolfe, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Long of Jackson, Ross, Shields and Wilson—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 151. A bill amending an act entitled an act touching the relation of guardian and ward, approved June 9, 1852, and regulating suits on bonds of guardians removing from the State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Black, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Greer, Griggs, Hartman, Hays, Hopkins, Honneus, Hostetter, Hudson, Hungate, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolflin, Woods, Wright and Mr. Speaker—80.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 206. A bill creating the 22d Common Pleas District, and making provision therefor, and repealing all conflicting laws.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Black, Blanch, Bobo, Brucker, Campbell, Carter, Chambers, Crain, Crowe, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greer, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Rosser, Sabin, Shields, Shook, Shoaff, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stewart, Thatcher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolfen, Woods and Mr. Speaker—69.

Those who voted in the negative were,

Messrs. Corey, Daggy, Danaldson, Hartman, Hays, Scammahorn, Shanks, Stackhouse and Wright—9.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate acts Nos. 93,

32 and 43, and herewith transmits the same to the House for the signature of the Speaker thereto.

Also, that the Senate has passed the following House bills, to-wit:

Enrolled House bill No. 349, entitled an act supplemental to, and declaratory of the meaning of an act passed at the special session of the General Assembly, began on the 13th day of November, 1865, and entitled an act to secure a just valuation and taxation of all railroad property within this State, to legalize the valuation, assessment, adjustment and payment of taxes for such property, made subsequent to the year 1859.

House bill No. 211, entitled a bill authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.

Also, that enrolled acts of the Senate Nos. 8 and 111, have been transmitted to the Executive Department.

Also, that the Senate has passed Engrossed House bill No. 341, entitled a bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State.

Also the Senate has concurred in House amendments to Senate bill No. 4.

Also, concurred in amendment of House to House bill No. 278, returned to Senate for their concurrence.

Also, that the President of the Senate has signed enrolled acts Nos. 47 and 174 of the Senate, and the same are herewith presented to the House for the signature of the Speaker thereof.

And further, the Senate has concurred in House amendments to Senate bills Nos. 95 and 214.

Senate bill No. 212. A bill to regulate the arrest and surrender of fugitives from other States and territories.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Black, Bobo, Campbell, Carter Corey, Crain, Crowe, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greer, Griggs, Hartman, Hamilton, Higgins, Hopkins, Honneus, Hostetter, Hudson, Kiser, Litson, Long of Kosciusko, Martin, Mason, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, White, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Long of Jackson and Lopp—2.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill ?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 79. A bill providing for the incorporation of electric telegraph companies.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Bischof, Campbell, Corey, Crain, Daggy, Danaldson, Douglass, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Greene, Greer, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hostetter, Hud-

son, Hughes, Hungate, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Mason, McClasky, McFadin, McLean, McMurray, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Rosser, Sabin, Shanks, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thrasher, Thomas, Vawter, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Baker, Crowe, Gordon, Ross, Shields, Thacher, Van Valkenburgh, Williams, and Wolfe—9.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 89. A bill providing for the incorporation of steam packet companies.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Blanch, Brucker, Campbell, Chambers, Daggy, Danaldson, Ervin, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Greene, Greer, Griggs, Hays, Higgins, Hopkins, Hudson, Kiser, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McFadin, McLean, McMurray, Moore, Morrison, North, Peelle, Ratliff, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Tebbs, Thrasher, Thomas, Van Valkenburgh, Vawter, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—57.

Those who voted in the negative were,

Messrs. Carter, Crain, Crowe, Douglass, Edmonson, Gordon,

Hostetter, Hughes, Hungate, Inman, Litson, Long of Jackson, Montgomery, Prather, Rosser, Shanks, Shields, Shull, Stackhouse, Thacher, Williams, and Wolfe—22.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bill No. 278, have carefully compared it with the engrossed copy thereof, and have directed me to report that they find the same correctly enrolled.

The Speaker announced that he had signed House bill No. 278.

Senate bill No. 154. A bill to revise and amend the sixth section of an act entitled "an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Blanch, Bobo, Campbell, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Higgins, Hopkins, Hudson, Hughes, Kiser, Long of Kosciusko, Martin, Mason, McLean, McMurray, Miller, Moore, Morrison, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Scammahorn, Shook, Shuey, Skid-



more, Spencer, Stafford, Thrasher, Thomas, Wason, Watson, Wilson, Wolfer, Wolfen, Woods, Wright, and Mr. Speaker—55.

Those who voted in the negative were,

Messrs. Baker, Brucker, Corey, Crowe, Douglass, Greene, Hays, Hostetter, Hungate, Inman, Litson, McClasky, Montgomery, O'Neil, Sabin, Shields, Shoaff, Smith of Wabash, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, and Wolfe—25.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

The Speaker announced that he had signed Senate bills Nos. 47, 174, 43, 32, 93, 58, 143 and 349.

Senate bill No. 36. A bill to amend an act entitled "an act to provide for the appointment of a Sheriff of the Supreme Court, and prescribing certain of his duties and fees," approved May 13, 1852.

Was read a third time.

Mr. Hughes moved to lay said bill on the table.

Which was agreed to.

Senate bill No. 119. A bill amending the 13th section of an act approved June 4, 1861, entitled "an act to provide for the incorporation of Street Railroad Companies."

Was taken up, and, on motion, laid on the table.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills have compared enrolled

bill No. 349 with the engrossed copy thereof and direct me to report that they find the same correctly enrolled.

"

Mr. Ross, from the Conference Committee on Senate bill No. 2, made the following report:

MR. SPEAKER:

The Committee of Conference on the part of the House, to whom was referred Senate bill No. 2, with the House amendments thereto, have had the same under consideration, and beg leave to report that they have been unable to agree for want of time to perfect the bill, and ask to be discharged from the further consideration of the subject.

The question being on concurring in said report.

It was agreed to.

Senate bill No. 54. A bill authorizing the assessment of all the lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized or gravel road organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "an act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile and is not sufficient for the completion of the same, and the collection of such assessments, provided the lands are situated within the county in which such road is located."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Black, Blanch, Bobo, Brucker, Chambers, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Kiser, Litson, Lopp, Martin, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Morrison, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammarhorn, Shoaff, Shuey, Smith of Lagrange, Smith of Wabash, Stack-

house, Stafford, Thrasher, Thomas, Van Valkenburgh, Vawter, Wolfer, Woods, and Mr. Speaker—50.

Those who voted in the negative were,

Messrs. Belford, Daggy, Greene, Higgins, Honneus, Long of Jackson, Montgomery, Newcomb, O'Neil, Shanks, Shields, Shook, Shull, Skidmore, Spencer, Tebbs, Thacher, Watson, Wilson, and Wolfe—21.

So the bill failed to pass for want of a constitutional majority.

Message from the Senate by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President to return to the House enrolled act No. 278, of the House, the same having been signed by him.

I am also directed by the Senate to inform the House of Representatives, that the Senate has passed House bill No. 277 without amendment, and the same is herewith returned to the House.

And also, that the President has signed enrolled acts of the Senate Nos. 32, 43, 93 and 58, and the same are herewith presented for the signature of the Speaker of the House.

Senate bill No. 164. A bill to provide for the removal from office, death, resignation, or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Black, Blanch, Bobo, Brucker, Chambers, Corey, Crain, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hughes, Hungate, Inman, Kiser, Martin, McCarthy, McClasky, McLean, McMurray, Miller, Moore, Morrison, Newcomb, O'Neil, North,  
H. J.—73

Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shook, Shoaff, Shull, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Wilson, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—71.

Those who voted in the negative were,

Messrs. Long of Jackson, McFadin, Shanks, Stackhouse, and White—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 241—entitled “an act to authorize the Directors of the State Prisons at Jeffersonville and Michigan City to contract the convict labor of said prisons, and prescribing the terms, and conditions of the contract.”

In which the concurrence of the House is respectfully requested.

Also, the Senate has passed House bill No. 91—entitled a bill vacating portions of highways located on county lines in cases therein specified, with the accompanying amendments thereto.

Also, the Senate has passed House bill No. 341—entitled a bill to provide for the assessment and collection of taxes on the shares of stock owned on banks and banking associations doing business in this State.

Mr. Newcomb moved to take up

Senate bill No. 97. A bill designating certain holidays, and in relation to negotiable paper falling due thereon.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Black, Blanch, Bobo, Corey, Crain, Daggy, Douglass, Dunn, Ervin, Evans, Ferris, Funk, Gordon, Greer, Griggs, Higgins, Hopkins, Hostetter, Hungate, Inman, Long of Kosciusko, Martin, McCarthy, McLean, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Scammahorn, Shook, Smith of Wabash, Stackhouse, Thomas, Wason, Watson, Wilson, Wolfer, Wolfli, Woods, Wright, and Mr. Speaker—44.

Those who voted in the negative were,

Messrs. Brucker, Chambers, Edmonson, Foulke, Geisendorff, Hartman, Honneus, Hudson, Kiser, Long of Jackson, McClasky, McFadin, McMurray, Miller, Ratliff, Sabin, Shanks, Shields, Shoaff, Shuey, Skidmore, Smith of Lagrange, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, and Wolfe—28.

So the bill failed to pass for want of a constitutional majority.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following resolution:

*Resolved*, That the House be requested to appoint another committee of conference on Senate bill No. 2, and that if the House agree, a new committee be appointed by the President on the part of the Senate.

And in view of said action on the part of House, the President of the Senate has appointed Senators Oyler, Stein, and Newlin as such committee on the part Senate.

On motion, the foregoing Senate message was taken up and concurred in.

The Speaker announced that he had appointed the following members as a second committee of free conference on Senate bill No. 2 on the part of the of the House:

Messrs. Peelle, Daggy, and Stackhouse.

*Ordered*, That the Clerk inform the Senate of the foregoing action on the part of the House.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed House bill No 350—entitled “an act making specific appropriations for the year 1867,” with the accompanying amendments thereon.

In which the concurrence of the House is respectfully requested.

Engrossed Senate amendments to House bill No. 350:

Amend by adding the following sections:

Sec. 44. That the sum of four hundred and fifty-nine dollars and fifty cents be allowed to the representatives of the estate of Robert Earley, deceased, for money due him as Quartermaster of 2nd Regiment Indiana Legion.

Sec. 45. That A. E. & W. H. Drapier be allowed for the number of copies of the Brevier Legislative Reports for the session of 1867, furnished every session since 1857, at the same price per page for the last several volumes.

Sec. 46. That Henry C. Guffin be allowed for one days work as Journal Clerk of the Senate. That James R. Blake be allowed three dollars and seventy-five cents for money expended in summoning witnesses to appear before Senate committees. That there be allowed fifteen dollars for sawing wood for the Senate for 1865. That there be allowed Nicholas Sterling fifteen dollars for three days services performed at the last extra session. That there be allowed R. B. Hanna, for mileage and two days time as a witness before Senate Committee, fifteen dollars. That there be allowed Joseph Nelson, for mileage and four days time attendance before Senate Committee, twenty dollars. That there be allowed J. & P. Gramling, for five wooden boxes, five dollars and fifty cents. That there be allowed Henry Reese & Co., for brooms, glassware, mops, and other articles for use of Door-Keeper of Senate, twenty dollars and twelve cents. That there be allowed Ely and Bruner thirty-five dollars and twenty-five cents for repairs

to the Senate Room. That there be allowed to John Senahan thirty-two dollars for taking care of the Supreme Court Room, sweeping, making fires, etc., in November and December, 1863. That there be allowed Thomas Darcy fifteen dollars for three days services as Assistant Door-Keeper in 1865.

Sec. 47. That there be allowed W. H. English, President First National Bank, two hundred and forty dollars for money paid by him on the coupons of eight thousand dollars of Indiana War Loan Bonds, which said coupons, it is alleged, have been lost or destroyed; the said English to furnish an accurate list and description of the coupons, and to give a bond, with satisfactory security to the Treasurer of State, to refund the said two hundred and forty dollars, or a *pro rata* amount thereof, should the said coupons, or any part of the same, be presented for payment at any time hereafter, or should the same have been paid heretofore, or any part thereof, to, or by the Agent or Treasurer of State.

Sec. 48. That there be allowed the Herald Company, for papers, stamps and enveloping papers to the members of the Senate and elected officers of the Senate, five hundred and seventy-eight dollars and seventy-six cents. That there be allowed Douglass & Conner, for papers, stamps and enveloping papers to the members of the Senate and elected officers of the Senate, five hundred and seventy-eight dollars and seventy-six cents. That there be allowed Charles P. Wilder, for furnishing the Gazette paper, stamps and enveloping papers to the members of the Senate and elected officers of the Senate, five hundred and seventy-eight dollars and seventy-six cents. That there be allowed the Daily Telegraph Company, for 8,424 copies of the Daily Telegraph, stamped and enveloped, six hundred and seventy-three dollars and ninety-two cents. That there be allowed Julius Bötticher, for the Weekly Indiana Volksblatt, one hundred and five dollars and sixty cents. That there be allowed to Douglass & Conner, for 1,000 blank orders for stationery, seven dollars. That there be allowed to Douglass & Conner, for two registers of bills originating in the Senate, thirty-two dollars. That there be allowed Douglass & Conner, for 500 sheets of enrolled acts, ruled and printed, forty dollars.

Sec. 49. For salaries for each Circuit Judge, in addition to the



number of seventeen circuit judges, two thousand dollars. For salaries for each Prosecuting Attorney, in addition to the number of seventeen prosecuting attorneys, five hundred dollars.

Sec. 50. That there be allowed for publishing the eighth and concluding volume of the Adjutant General's Report, four thousand and five hundred copies, eight thousand five hundred and fifty dollars.

Sec. 51. That there be allowed Dr. T. Higday, for medical and surgical services in the military service of the State of Indiana, in the year 1863, one hundred and fifty dollars and eighty-nine cents.

Sec. 52. That O. M. Wilson, Secretary, and Thos. M. Browne, Assistant Secretary of Senate, be each allowed the sum of one hundred and twenty-five dollars for correcting proofs, indexing Senate Journal, and preparing abstract of titles of bills and joint resolutions passed.

Sec. 53. That Milton S. Robinson and John Hunt be allowed the sum of one hundred dollars each, for expenses in contesting the seat of John Hunt as Senator from the counties of Madison and Grant, as ordered by the Senate, the same having already been paid.

Amendments of House of Representatives to amendments of Senate to House bill No. 350:

1st. Add to section forty-five the following: "*Provided*, That no official sanction is hereby given to said reports, either for accuracy or fullness.

2nd. Strike out from the last line but one of section forty-five these words, "at the same price per page for the last several volumes" and insert in lieu thereof, "at not exceeding two-thirds of a cent per page."

3rd. Add to said amendments the following section:

Sec. 54. To O. M. Wilson, for one hundred copies of his Digest of Parliamentary Law, for the use of the members of the House of Representatives, at two dollars and twenty cents per copy, two hundred and twenty dollars.



Mr. Higgins offered the following amendment :

Amend by adding "not exceeding six hundred copies, at a price not exceeding \$1.50 per copy."

Mr. Hughes moved to amend as follows :

"Provided that no official sanction is hereby given to said reports either for accuracy or fullness."

Which was agreed to.

The question being on the amendment offered by Mr. Higgins,

Messrs. Higgins and Crain demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Blanch, Brucker, Crain, Dunn, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Higgins, Hopkins, Hudson, Hughes, Martin, Mason, McClasky, McMurray, Moore, Sabin, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Wason, Watson, Wolflin, Woods, and Mr. Speaker—33.

Those who voted in the negative were,

Messrs. Baker, Belford, Black, Bobo, Carter, Chambers, Corey, Crowe, Daggy, Danaldson, Edmonson, Geisendorff, Greene, Griggs, Hartman, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, McCarthy, McFadin, McLean, Miller, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Shields, Shoaff, Shull, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Williams, Wolfe and Wolfer—51.

So the amendment was not agreed to.

Message from the Senate by Mr. Wilson their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate

has passed Senate joint resolution No. 11—providing for furnishing the Library of Congress with the State Laws of this State.

I am also directed by the Senate to inform the House that the Senate has passed House bills Nos. 17 and 343, and that enrolled act No. 143 of the Senate has been signed by the President thereof, and the same is herewith presented for the signature of the Speaker of the House.

Mr. Higgins moved to concur in the engrossed Senate amendments by taking not exceeding six hundred copies at a price not exceeding \$1.50 per copy.

Messrs. Higgins and Crain demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Bischof, Black, Blanch, Brucker, Hartman, Higgins, Hopkins, Hudson, McClasky, Prather, Sabin, Scammahorn, Shook, Shuey, Skidmore, Stafford, Stewart, Thomas, Wolf, flin, Woods, and Mr. Speaker—22.

Those who voted in the negative were,

Messrs. Belford, Bobo, Carter, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Fuller, Geisendorff, Gordon, Greene, Griggs, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosei-usko, Lopp, Martin, Mason, McCarthy, McFadin, McLean, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Ross, Rosser, Shoaff, Shull, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Watson, Williams, Wilson, White, Wolfe, and Wolfer—61.

So the motion to concur in Senate amendment, with Mr. Higgins amendment, did not prevail.

Mr. McCarthy moved that the House refuse to concur in the forty-fifth section of the Senate amendments.

Mr. Van Valkenburgh moved to lay the motion to refuse to concur on the table.

Messrs. Higgins and Crain demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Bobo, Carter, Crowe, Douglass, Edmonson, Greene, Hartman, Hays, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Mason, McFadin, McLean, Morrison, Montgomery, Newcomb, O'Neil, North, Ross, Rosser, Scammahorn, Shanks, Shields, Shoaff, Shull, Smith of Wabash, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Williams, White, Wolfer, Wolfen, Woods, and Wright—49.

Those who voted in the negative were,

Messrs. Bischof, Blanch, Brucker, Corey, Crain, Daggy, Dunn, Ervin, Evans, Foulke, Funk, Fuller, Geisendorff, Griggs, Higgins, Hudson, Hughes, Martin, McCarthy, McClasky, McMurray, Miller, Moore, Sabin, Shook, Skidmore, Spencer, Stafford, Watson, Wolfe, and Mr. Speaker—32.

So the motion to lay on the table prevailed.

Mr. Newcomb moved to concur in Senate engrossed amendments.

Messrs. Higgins and Crain demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Black, Bobo, Brucker, Chambers, Corey, Crowe, Douglass, Dunn, Edmonson, Ferris, Greer, Honneus, Hostetter, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, McFadin, McLean, Miller, Montgomery, Newcomb, O'Neil, North, Ross, Scammahorn, Shields, Shoaff, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Williams, Wolfer, Woods, and Wright—42.

Those who voted in the negative were,

Messrs. Blanch, Crain, Danaldson, Evans, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Higgins, Hopkins, Hudson, Hughes, Long of Kosciusko, Martin, Mason, McCarthy, McMurray, Prather, Ratliff, Sabin, Shook, Shall, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Thomas, Wason, Watson, Wolfe, Wolflin, and Mr. Speaker—35.

So the amendments were concurred in.

Mr. ——— moved to amend by striking out from the last line but one of section forty-five these words, “at the same price per page for the last several volumes,” and insert, “at not exceeding two-thirds of a cent per page.”

The engrossed Senate amendments to sections 46, 47, 48, 49, 50, 51, 52 and 53 were concurred in.

Mr. Hughes moved to amend as follows:

To O. M. Wilson, for one hundred copies of his Digest of Parliamentary Law, for the use of the members of the House of Representatives, at two dollars and twenty cents per copy, two hundred and twenty dollars.

Which was agreed to.

Mr. Higgins offered the following amendment:

That the sum of eight hundred dollars be and the same is hereby appropriated to John I. Morrison, late Treasurer of State, the same in addition to what has been heretofore allowed him for clerk hire for the years 1865 and 1866.

Mr. Miller moved to lay Mr. Higgins' amendment on the table.

Which was agreed to.

Mr. Hughes' amendment was then ordered to be engrossed.

Mr. Miller moved that when House adjourns, it adjourn till 7 o'clock this evening.

Which was agreed to.

Mr. Peelle, from the Committee on Free Conference, made the following report :

MR. SPEAKER :

The Committee on Free Conference on Senate bill No. 2 recommend that the House recede from its amendments and pass the Senate bill.

Which was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House that the Senate has passed House bills Nos. 4 and 18.

And that the President has signed Enrolled Act No. 349 of the House.

And transmits Enrolled Act No. 86 of the Senate for the signature of the Speaker of the House.

And that Enrolled Act No. 143 has been transmitted to the House for the signature of the Speaker thereto.

The Speaker announced that he had signed Senate bill No. 86.

Mr. Peelle moved to take up Senate bill No. 237.

Which was agreed to.

Senate bill No. 237. A bill creating the Nineteenth, Twentieth, and Twenty-First Judicial Circuits ; providing for the election of Judges and Prosecuting Attorneys thereof, and providing compensation therefor ; declaring the jurisdiction of said Courts, and providing for a transfer of actions thereto.

Mr. Peelle moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a second time, by title, and a third time by sections, to-day.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Brucker, Carter, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Fuller, Gordon, Greer, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Martin, McCarthy, McClasky, McFadin McMurray, Miller, Moore, Morrison, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shields, Shoaff, Shull, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolflin, Woods, Wright, and Mr. Speaker—76.

So it was deemed expedient and the constitutional rule was suspended, and said bill was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Bobo, Brucker, Campbell, Carter, Chambers, Crain, Daggy, Danaldson, Dunn, Evans, Ferris, Foulke, Funk, Gordon, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Hungate, Inman Kiser, Litson, Long of Kosciusko, Lopp, Martin, McClasky, McFadin, McMurray, Miller, Moore, Morrison, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shoaff, Shull, Shuey, Skidmore, Smith of Wabash, Speneer, Thrasher, Thomas, Van Valkenburgh, Vawter, Wason, Wilson, Wolflin, Woods, Wright and Mr. Speaker—60.

Those who voted in the negative were,

Messrs. Crowe, Hostetter, McCarthy, Montgomery, Scammahorn, Shields, Shook, Tebbs, Thacher, Watson, Williams, and White—12.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill?

On motion by Mr. Crain, the House adjourned.

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SEVEN O'CLOCK, P. M.

The House met.

Senate bill No. 40. A bill defining what counties shall constitute the Thirteenth Judicial Circuit.

Was taken up.

Mr. Watson moved that the House recede from its engrossed amendments to said bill.

Which was agreed to.

House bill No. 91. A bill vacating portions of highways located in cases therein specified.

Was taken up.

The engrossed amendments of the Senate were read and agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

House bill No. 337. A bill to fix the time of holding the Circuit Court in the county of Kosciusko, of the Fourteenth Judicial Circuit.

With the engrossed amendments of the Senate thereto were read.

Mr. Hartman moved that the House concur in the amendments.

Which was agreed to.

Message from the Senate, by Mr. Wilson their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed the following engrossed House bills, to-wit:

House bill No. 39, entitled "a bill to legalize and declare valid and effectual all the orders, judgment, and other proceedings made, rendered and had by and before the Common Pleas Court of Clinton county, in this State, held in the Court House in said county, in the months of October and November, in the year one thousand eight hundred and sixty five, and then and there by and before the several judges of the said court."

House bill No. 63, entitled "a bill to amend section eleven of an act entitled an act defining misdemeanors, and prescribing the punishment therefor," approved June 14, 1852.

House bill No. 72, entitled "an act to amend an act entitled an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons, and directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work of building said Northern State Prison, and making appropriations for the support of said prison."

House bill No. 81, entitled "a bill regulating the employment of persons under sixteen years of age in the cotton and woolen factories of this State."

House bill No. 83, entitled "a bill for the protection of wild game; defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency."

House bill No. 93, entitled "a bill forbidding the locking of railroad cars in certain cases, and providing punishment therefor."

House bill No. 101, entitled "a bill to amend the act entitled an



act to amend the act entitled an act authorizing the construction of plank, macadamized, and gravel roads, and to empower the same to make sale of a portion of their roads, approved February 28, 1855.

House bill No. 107, entitled a bill to amend section twenty-one of an act entitled " an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

House bill No. 130, entitled " a bill to amend section twenty-eight of an act entitled an act defining felonies, and prescribing punishment therefor," approved June 10, 1852."

House bill No. 244 was taken up. The engrossed amendments thereto by the Senate were read and passed over informally for the present.

Mr. Bobo moved to take up Senate bill No. 226.

Which was agreed to.

Senate bill No. 236. A bill fixing the time of holding the Courts in the Tenth Judicial Circuit, changing the length of the terms in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.

Mr. Bobo moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a second time by title, and a third time by sections, to-day.

The ayes and noes were taken under the Contitution.

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Griggs, Hartman, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore,

Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Ratliff, Ross, Rosser, Scammahorn, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Thrasher, Thomas, Vawter, Wason, Watson, Wilson, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—67.

No one voting in the negative.

So it was deemed expedient, and the constitutional rule was suspended, and House bill No. 236 was read a second time, by its title, and a third time by its sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Foulke, Funk, Gordon, Greene, Greer, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McCathy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Scammahorn, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Evans moved to take up Senate bill No. 195.

Which was agreed to.

Mr. Evans moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read on three several days, and read said bill a second time by title, and a third time by sections.

The ayes and noes were taken under the Constitution.

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Black, Bobo, Carter, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Greene, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McFadin, McLean, McMurray, Miller, Moore, Morrison Montgomery, Newcomb, O'Neil, North Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valenburgh, Watson, Williams, Wolfe, Wolfer, Wright, and Mr. Speaker—78.

No one voting in the negative.

So it was deemed expedient to suspend the constitutional rule, and

Senate bill No. 195. A bill to cure defective or illegal bonds of executors and administrators and their sureties.

Was read a second time by its title, and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Blanch, Brucker, Chambers, Corey, Crain, Crowe, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Gordon, Greene, Greer, Griggs,

Hartman, Hamilton, Hays, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Martin, Mason, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ross, Rosser, Scammahorn, Shields, Shook, Shoaff, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stewart, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—77.

Mr. Sabin voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Ratliff moved to take up Senate bill No. 74.

Which was not agreed to.

Mr. Stewart moved to take up .

Senate bill No. 213. A bill concerning the punishment of women and girls convicted of crimes and misdemeanors, or violations of any city ordinances.

Which was agreed to.

Mr. Stewart moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read by sections on three several days, and that said bill be read a second time by its title, and a third time by sections.

Those who voted in the affirmative were,

Messrs. Bischof, Bobo, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Kiser, Litson, Long of

Jackson, Long of Kosciusko, Martin, Mason, McCarthy, McFadin, McLean, McMurray, Miller, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shields, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thrasher, Thomas, Watson, Williams, White, Wolfe, Wolfer, Wolfin, Woods, Wright and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Baker, Black, Brucker, Hughes, Tebbs, Wason, and Wilson—7.

So it was deemed expedient to suspend the constitutional rule.

Said bill was then read a second time by its title.

Mr. Stewart moved to amend the first section, by adding at the end of said section these words, to-wit:

“And the Mayor, or City Judge of any incorporated city, may sentence and commit such persons, on conviction, to such Home for the same period of time that a Circuit or Common Pleas Court could do for a like offence.”

Which was agreed to, and said bill was then read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Black, Blanch, Bobo, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Hays, Higgins, Hopkins, Hudson, Inman, Kiser, Long of Kosciusko, Martin, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Ratliff, Rosser, Sabin, Scammahorn, Shull, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Thomas, Vawter, Wason, Watson, Williams, Wilson, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Brucker, Edmonson, Honneus, Hughes, Hungate, Long of Jackson, Ross, Shields, Stackhouse, and Van Valkenburgh—9.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McCarty, from the Committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bills 17, 275 and 276, have carefully compared them with the engrossed bills thereof, and direct me to report that they find the same correctly enrolled.

Messages from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate acts Nos. 11 and 245, and herewith transmits the same to the House for the signature of the Speaker.

Also, that the Senate has passed engrossed House bill No. 144, entitled "a bill to prevent the spread of disease among the sheep."

I am also directed by the President of the Senate to inform the House of Representatives that he has signed enrolled House acts Nos. 275, 276 and 17; and that enrolled Senate acts Nos. 118, 245 and 11 have been transmitted to the Governor.

I am further directed by the President of the Senate to inform the House of Representatives that he has signed enrolled House acts Nos. 40, 211 and 277, and herewith returns the same.

The Speaker announced that he had signed House bills Nos. 275, 276 and 17; also Senate bills Nos. 118, 11 and 245.

Mr. Blanch moved to take up

Senate bill No. 54. A bill authorizing the assessment of all the lands within one and one-half miles on either side, or within one and one-half miles of the terminus of any plank, macadamized or gravel road organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled "an act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile and is not sufficient for the completion of the same, and the collection of such assessments, provided the lands are situated within the county in which such road is located."

Which was agreed to.

Said bill having previously been read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Bird, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Crowe, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Griggs, Hartman, Hays, Hopkins, Hostetter, Hudson, Hughes, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, McClasky, Miller, Moore, Morrison, North, O'Neil, Peelle, Prather, Ratlif, Ross, Rosser, Sabin, Scammahorn, Shook, Shuey, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Thomas, Wason, Watson, Williams, Wilson, Wolfer, Wolfli, Woods, Wright, and Mr. Speaker—63.

Those who voted in the negative were,

Messrs. Baker, Belford, Daggy, Hamilton, Higgins, Hungate, Inman, McMurray, Montgomery, Newcomb, Shields, Skidmore, Tebbs, Thacher, and Wolfe—15.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Wason moved to proceed to read Senate bills on third reading.

Which was agreed to.

#### SENATE BILLS ON THIRD READING.

Senate bill No. 203. A bill extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all laws inconsistent therewith.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bird, Bischof, Black, Blanch, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Griggs, Hartman, Hamilton, Hopkins, Honneus, Hostetter, Hudson, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shields, Shook, Shoaff, Skidmore, Smith of Lagrange, Smith of Wabash, Stewart, Tebbs, Thacher, Thrasher, Thomas, Wason, Watson, Williams, Wilson, White, Wolfer, Wolfelin, Woods, Wright and Mr. Speaker—74.

Those who voted in the negative were,

Messrs. Hughes, Hungate, Litson, Stackhouse and Wolfe—5.

So the bill passed.



The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bills Nos. 40, 211, and 277, have carefully compared them with the engrossed copies thereof, and have directed me to report that they find the same correctly enrolled.

The Speaker announced that he had signed House bills Nos. 211, 40, and 277.

Senate bill No. 41. A bill to authorize incorporated towns and townships to subscribe for, purchase and hold stocks, and make donations to turnpike, plank road, railroad, railway, and slackwater navigation companies, and matters properly connected therewith, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Black, Brucker, Chambers, Corey, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Griggs, Hopkins, Hungate, Inman, Kiser, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Moore, Morrison, Peelle, Ratliff, Rosser, Scammahorn, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Thomas, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, Wolflin, Woods, Wright, and Mr. Speaker—53.

Those who voted in the negative were,

Messrs. Bobo, Gordon, Hartman, Honneus, Hostetter, Hudson, Lopp, Montgomery, Newcomb, O'Neil, North, Ross, Sabin, Shanks, Shields, Shull, Thrasher, White, and Wolfe—19.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Mr. Ross moved to take up

House bill No. 244. A bill districting the State for judicial circuits, and providing that judges and prosecuting attorneys of circuits, as heretofore existing, shall be judges and prosecuting attorneys of the circuits in which the county where they reside is situated under this act, and providing for filling vacancies in said office, with engrossed Senate amendments.

Mr. Newcomb moved a non-concurrence on the part of the House in Senate amendments.

Mr. Hughes moved to lay Mr. Newcomb's motion on the table.

Which was agreed to.

Mr. Ross offered the following :

" I move to concur in the first, sixth, and seventh Senate amendments to House bill No. 244, and refuse to concur in the second, third, fourth, fifth, eighth, and ninth amendments."

Mr. Newcomb moved to concur in the engrossed Senate amendments.

Mr. Wright offered the following amendment :

Amend by adding the following section :

Sec. —. The county of Fulton shall constitute the twenty-second circuit.

The question being on the motion by Mr. Newcomb.

Mr. Daggy moved to concur.

Mr. Ross moved to lay the amendments on the table.

The question being on the motion by Mr. Ross.

Mr. Hartman moved to lay the whole subject on the table.

Which was agreed to.

Senate bill No. No. 223. A bill to amend the first section of an act entitled "an act to amend the fortieth clause of section thirty of an act entitled an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter, approved January 27, 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said city of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the laws of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to point on the Ohio river, near Evansville, Indiana."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Brucker, Chambers, Crain, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Higgins, Hopkins, Honneus, Hudson, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Martin, McClasky, McMurray, Miller,

Moore, Morrison, O'Neil, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Skidmore, Smith of Wabash, Spencer, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Baker, Hostetter, Shields, and Stackhouse—4.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Messrs. Fuller, Shoaff, Campbell, McFadin, and Bird obtained leave of absence for the remainder of the session.

Senate bill No. 116. A bill to amend sections eighteen and twenty-five of an act entitled "an act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana," approved January 15, A. D. 1852.

Was read a third time.

Mr. Hughes moved to lay said bill on the table.

Which was agreed to.

Senate bill No. 140. A bill authorizing Insurance Companies to reinsure their risks, and close up their business.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Bischof, Black, Bobo, Brucker, Corey, Crain Daggy, Danalson, Dunu, Ervin, Evans, Ferris, Foulke, Funk,

Geisendorff, Gordon, Greene, Griggs, Higgins, Hopkins, Hostetter, Hudson, Inman, Kiser, Long of Kosciusko, Martin, Mason, McClasky, Moore, Morrison, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stackhouse, Stafford, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, Wolfe, White, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Honneus, and Long, of Jackson.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 125. A bill to declare abandoned certain unfinished railroads, and to provide for their completion; to declare forfeited the franchises of certain Railroad Companies, and for the assessment of the value thereof; for the organization of new companies, and for making annual statements.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Bobo, Carter, Chambers, Crain, Daggy, Danaldson, Douglass, Edmonson, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Greene, Griggs, Hays, Hopkins, Honneus, Hudson, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Morrison, Montgomery, O'Neil, North, Peelle, Prather, Ratliff, Ross, Sabin, Scammahorn Shanks, Shuey, Skidmore, Spencer, Stackhouse, Stafford, Stewart, Thacher, Vawter, Wason, Williams, White, Wolfer, and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Barritt, Hartman, Newcomb, Shields, Thrasher, Hostetter, and Wolfe—7.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has concurred in engrossed House amendments to engrossed Senate amendments to House bill No. 350.

The Speaker announced that he had signed House bills Nos. 341, 4, 144, 107, and 91.

Mr. McCarthy, from the Joint Committee on Enrolled Bills made the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bills Nos. 4, 91, 107, 341, and 144, have carefully compared them with the engrossed copies thereof, and have directed me to report that they find the same correctly enrolled.

Senate bill No. 29. A bill to define who are competent witnesses in this State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Brucker, Chambers, Crain, Daggy, Danaldson, Dunn, Ervin, Evans, Ferris, Foulke, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hudson, Hughes, Litson, Long of Kosciusko, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Stewart, Thrasher, Wason, Watson, Wilson, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Baker, Barritt, Carter, Corey, Crowe, Edmonson, Greene, Honneus, Hostetter, Hungate, Inman, Kiser, Long of Jackson, Lopp, Morrison, Montgomery, O'Neil, Ross, Shanks, Shields, Stackhouse, Tebbs, Thacher, Van Valkenburgh, Vawter, Williams, White, and Wolfe—28.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill.

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill?

Senate bill No. 38. A bill to amend section twenty of an act entitled an act to amend an act entitled "an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved December 20, 1865.

Was read a third time.

Mr. Newcomb moved to lay said bill on the table.

Which was agreed to.

The Speaker laid before the House the report of the State Librarian.

Which, on motion, was laid over till Monday next.

Senate bill No. 103. A bill to prevent persons from injuring or destroying insured property, and for making false proofs thereof, prescribing penalties for the same.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Black, Brucker, Chambers, Corey, Crowe, Danaldson, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Hopkins, Hostetter, Hudson, Hughes, Hungate, Kiser, Litson, Martin, McCarthy, McMurray, Moore, Morrison, Newcomb, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shuey, Skidmore, Smith of Wabash, Spencer, Stewart, Tebbs, Van Valkenburgh, Wason, Watson, Wilson, White, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—58.

Those who voted in the negative were,

Messrs. Hays, Honneus, Long of Jackson, Miller, Shields, Shook, Stackhouse, Thacher, Thrasher, and Vawter—9.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 114. A bill to amend an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain offices therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith,



providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto.

Was taken up.

Mr. Funk moved to lay said bill on the table.

Messrs Ratliff and Parker demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Black, Bobo, Carter, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Edmonson, Ervin, Funk, Geisendorff, Greene, Hays, Higgins, Hungate, Kiser, Long of Jackson, Lopp, Martin, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, O'Neil, North, Prather, Ross, Rosser, Sabin, Shanks, Skidmore, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Williams, and Wright—46.

Those who voted in the negative were,

Messrs. Barritt, Bischof, Brucker, Chambers, Duun, Evans, Ferris, Foulke, Griggs, Hartman, Hamilton, Honneus, Litson, McCarthy, Newcomb, Peelle, Ratliff, Scanimahorn, Shook, Shuey, Smith of Lagrange, Spencer, Stafford, Wason, Watson, Wilson, Wolfin, and Woods—28.

So Senate bill No. 114 was laid on the table.

Mr. Hughes moved to take up Senate bill No. 36.

Which was not agreed to.

Senate bill No. 117. A bill to amend sections one and ten of an act entitled "an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and repealing all laws inconsistent therewith, providing penalties therein named.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bischof, Chambers, Ervin, Evans, Ferris, Foulke, Griggs, Hartman, Martin, Miller, Newcomb, Peelle, Prather, Ratliff, Rosser, Sabin, Scammahorn, Shuey, Smith of Lagrange, Spencer, Stafford, Thrasher, Wason, Wilson, Wolfer, Wolfliu, Woods, Wright, and Mr. Speaker—30.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Black, Bobo, Corey, Crowe, Danaldson, Douglass, Dunn, Edmonson, Funk, Geisendorff, Greene, Hays, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Long of Jackson, Long of Kosciusko, Lopp, McClasky, McMurray, Moore, Morrison, Montgomery, Shanks, Shields, Shook, Skidmore, Smith of Wabash, Stackhouse, Stewart, Tebbs, Thacher, Thomas, Van Valkenburgh, Vawter, Williams, White and Wolfe—14.

So the bill did not pass.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate act No. 151, and herewith transmits the same to the House for the signature of the Speaker thereto.

Also, that he has signed enrolled House acts Nos. 91, 341, 144, 107 and 4, which are herewith returned.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed the following House bills: Nos. 158, 189, 89, 159 and 48.

The Speaker announced that he had signed Senate bills Nos. 151 and 212.

Senate bill No. 242. A bill to amend section five of an act entitled "an act for incorporating the Wabash Manual Labor College and Teachers Seminary," approved February 8, 1851.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bischof, Black, Brucker, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Evans, Ferris, Funk, Geisendorff, Gordon, Griggs, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Kosciusko, Lopp, Martin, Mason, McCarty, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wason, Wilson, White, Wolfe, Wolfer, Wolfli, Woods and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Long of Jackson and Williams—2.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate No. 212, and herewith transmits the same to the House for the signature of the Speaker thereto.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed House bills, to-wit: House bills Nos. 179, 145 and 207.

Also, that enrolled Senate act No. 212 has been transmitted to the Governor.

Senate bill No. 175. A bill for the incorporation of companies for the purpose of building and maintaining buildings to be used or occupied in whole or part for Masonic meeting purposes, or in any way for the accommodation or convenience of Masonic bodies or lodges.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Black, Blanch, Brucker, Carter, Chambers, Corey, Crain, Crowe, Daggy, Dunn, Ervin, Evans, Ferris, Funk, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hudson, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Scammahorn, Shanks, Shields, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter, Wilson, White, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 215. A bill for an act to prevent the spread of the disease commonly called "hog cholera" and other diseases, among domestic animals.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baker, Barritt, Belford, Bischof, Black, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Edmonson, Evans, Ferris, Foulke, Geisendorff, Gordon, Greene, Griggs, Hartman, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hudson, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, McCarthy, McClasky, Miller, Moore, Morrison, O'Neil, North, Peelle, Prather, Ratliff, Ross, Sabin, Scammahorn, Shanks, Shook, Shuey, Skidmore, Smith of Wabash, Spencer, Stafford, Tebbs, Thacher, Thrasher, Vawter, Wason, Watson, Williams, Wilson, White, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—70.

Those who voted in the negative were,

Messrs. Funk, McMurray, Montgomery, Rosser, and Wolfe—5.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Senate bill No. 244. A bill creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.

Was read a third time.

Mr. Miller, by unanimous consent, moved to amend by striking out "twenty-three" and inserting "twenty-four."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Barritt, Belford, Black, Bobo, Brucker, Corey, Crain,

Crowe, Daggy, Danaldson, Dunn, Edmonson, Ervin, Evans, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Higgins, Hopkins, Hughes, Long of Kosciusko, Lopp, Martin, McCarthy, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Shanks, Shields, Shook, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolfin, Woods, Wright, and Mr. Speaker—64.

Those who voted in the negative were,

Messrs. Baker, Funk, and Sabin—3.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill?

Message from the Senate, by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House of Representatives, to-wit:

House bills Nos. 223, 225, 300, and 334 which are herewith returned to the House.

Also the Senate has concurred in House amendments to Senate bills Nos. 213, 41, 29, 125, 206, 89, 79, 244, and 215.

Senate bill No. 218. A bill directing county officers to receive certain certificates as money.

Was read a third time.

Mr. White moved to lay said bill on the table.

Messrs. Hughes and Montgomery demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bischof, Black, Bobo, Brucker, Chambers, Crain, Daggy, Danaldson, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Griggs, Hartman, Hays, Higgins, Hopkins, Hostetter, Hudson, Kiser, Long of Kosciusko, Lopp, Mason, McCarthy, McClasky, McMurray, Morrison, Montgomery, Newcomb, North, Prather, Ratliff, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Vawter, Wason, Watson, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—61.

Those who voted in the negative were,

Messrs. Baker, Barritt, Belford, Crowe, Honneus, Hungate, Litson, Long of Jackson, Martin, O'Neil, Tebbs, Thacher, Van Valkenburgh, and Williams—14.

So the motion to lay on the table prevailed.

Message from the Senate by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following House joint resolutions, to-wit :

House joint resolution No. 2, without amendments, and House joint resolution No. 11, with accompanying amendments.

Mr. McCarthy, from the Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Committee on Enrolled Bills, to whom was referred House

bills Nos. 18, 63, 72, 81, 93, 101, 130, and 343, have carefully compared them with the engrossed copies thereof, and find them correctly enrolled.

Mr. Ross moved to take up

Senate bill No. 246. An act to fix the time of holding terms of the Circuit Courts in the Eleventh Judicial Circuit.

Mr. Ross moved that it be deemed expedient to suspend the constitutional rule requiring bills to be read by sections on three several days, and that said bill be read a second time by its title, and a third time by sections.

The ayes and noes were taken as required by the Constitution.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Chambers, Crain, Crowe, Daggy, Danaldson, Dunn, Evans, Ferris, Funk, Geisendorff, Gordon, Griggs, Hartman, Hays, Higgins, Hopkins, Honneus, Hughes, Kiser, Litson, Long of Kosciusko, Lopp, Martin, McClasky, McMurray, Miller, Moore, Newcomb, O'Neil, North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shuey, Skidmore, Smith of Lagrange, Spencer, Stackhouse, Stafford, Stewart, Thrasher, Van Valkenburgh, Wason, Watson, White, Wolfe, Wolfer, Wolfin, Woods, and Mr. Speaker—57.

Those who voted in the negative were,

Messrs Brucker, Tebbs, Thacher, and Wilson—4.

No quorum voting.

Mr. Crain moved that the House do now adjourn.

Which was not agreed to.

The Speaker ordered a call of the House.

The following gentlemen answered to their names:

Messrs. Baker, Belford, Bischof, Black, Brucker, Chambers, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Evans, Ferris



Foulke, Funk, Gordon, Hartman, Hamilton, Hays, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Litson, Long of Jackson, Lopp, Martin, Mason, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Van Valkenburgh, Vawter, Wason, Watson, Williams, Wilson, White, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—72.

Mr. Thacher moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question recurring on the motion by Mr. Ross to suspend the constitutional rule,

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Bobo, Brucker, Chambers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Greene, Griggs, Hartman, Hamilton, Hays, Higgins, Hopkins, Honneus, Hostetter, Hudson, Hughes, Hungate, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, Mason, McClasky, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil North, Peelle, Prather, Ross, Rosser, Sabin, Scammahorn, Shanks, Shields, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Wason, Watson, Wilson, Wolfe, Wolfer, Wolflin, Woods, Wright, and Mr. Speaker—74.

No one voting in the negative.

So it was deemed expedient, and the constitutional rule was suspended, and Senate bill No. 246 was read a second time by its title, and a third time by its sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Belford, Bischof, Black, Bobo, Brucker, Carter, Cham-

bers, Corey, Crain, Crowe, Daggy, Danaldson, Douglass Evans, Ferris, Foulke, Funk, Geisendorff, Gordon, Griggs, Hartman, Hamilton, Hays, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Long of Jackson, Long of Kosciusko, Lopp, Martin, McClasky, McFadin, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Sabin, Shanks, Shields, Shuey, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thrasher, Wason, Watson, Williams, Wolfer, Wolflin, Woods, Wright and Mr. Speaker—68.

Those who voted in the negative were,

Messrs. Litson, Scammahorn, Shook, Stackhouse, Vawter, and Wilson—6.

So the bill passed.

The question being, shall the title, as read, stand as the title to said bill?

It was so ordered.

*Ordered*, That the Clerk inform the Senate of the passage of said bill.

Message from the Senate by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate act No. 118, and herewith transmits the same to the House for the signature of the Speaker thereto.

Also, that the Senate has passed the following Senate bill to-wit:

Senate bill No. 247, entitled an act declaring what persons shall be deemed to have acquired a residence in any township, city, or ward in this State, so as to entitle him to vote therein.

I am also directed by the President of the Senate to inform the House that he has signed enrolled act No. 30 of the Senate, and transmits the same for the signature of the Speaker of the House

I am directed by the Senate to inform the House that the Senate has concurred in the report of the Committee of Conference appointed on Senate bill No. 2, and by order of the Senate the same is herewith returned to the House with the request that the same be passed.

Mr. Geisendorff moved to take up Senate bill No. 231.

Mr. Hughes moved to amend by taking up Senate joint resolution No. —.

On motion by Mr. Montgomery, the House adjourned.

MONDAY MORNING, 9 o'clock, }  
 March 11, 1867. }

The House met.

Mr. Newcomb in the Chair.

#### RESOLUTIONS, ETC.

Mr. Thacher offered the following resolution :

*Resolved*, That the thanks of this House are due, and are hereby tendered to the Hon. D. C. Branham, for the ability, impartiality and courtesy with which he has presided over the deliberations of the House of Representatives.

Mr. Greene offered the following resolution :

*Resolved*, That the thanks of this House are due to the Hon. C. T. Nixon, Principal Clerk and his assistants for the efficient and faithful manner in which they have discharged their official duties.

Mr. White offered the following resolution :

*Resolved*, That the Clerks, Door-Keepers and employees of the House are entitled to the thanks of the members, for the prompt and efficient manner in which they have discharged their several duties.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts of the Senate of Indiana, to-wit :

Enrolled Senate acts Nos. 40, 41, 4, 29, 236, 175, 75, 95, 154, 214, 164, 203, 103, 213, 152, 223, 215, 195, 242, 140, 246, 237, and 79, which are herewith transmitted to the House for the signature of the Speaker.

Also that he has signed enrolled House acts Nos. 63, 343, 18, 101, 72, 93, 81, and 130, which are herewith returned to the House.

I am also directed by the Senate to inform the House of Representatives, that the Senate has passed House bill No. 19—entitled “a bill to regulate and make uniform the prices charged by Railroad Companies for transporting goods, merchandize and material to and from stations on railroads in this State,” without amendments, which is herewith returned.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate acts Nos. 206, 244, and 125 which are herewith transmitted to the House for the signature of the Speaker.

And that the President has signed enrolled acts of the House Nos. 348, 89, 145, 158, 23, 223, 300, 189, and 39.

Mr. Shuey offered the following resolution:

*Resolved*, That the State Printer is hereby directed to transmit by express or otherwise to the members and officers of this House entitled thereto the number of bound volumes of the Journal Acts and Brevier Reports of this General Assembly, to which they are entitled by law, as soon as the same are published.

Which was ruled to be out of order by the Speaker.

Mr. Crain offered the following amendment:

*Provided*, That said documents shall be wrapped, and directed to each member, and sent with the laws of the session.

Mr. Montgomery moved to lay the amendment on the table.  
Which was not agreed to.

The question being on the amendment offered by Mr. Crain.  
It was agreed to.

The resolution was then agreed to.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled bills, to whom was referred enrolled House bills Nos. 83, 225, 17, 9, 20, 7, 15, 94, 8, 3, 50, 33, 4, and Joint Resolution No. 2, have carefully compared them with the engrossed copies thereof and have directed me to report that they find them correctly enrolled.

Mr. Tebbs offered the following resolution :

*Resolved by the House of Representatives of the General Assembly of Indiana*, That the thanks of this House are hereby tendered to his Excellency, Governor Conrad Baker, for the gentlemanly courtesy and kindness which has so eminently characterized all of his official intercourse with this House, and that in severing, for the present, official connection between the Governor of the State and this General Assembly, this House desires to place upon the public records their appreciation of those exalted qualities and high principles of honor which have ever, even amid the fierce clash of political sentiment and partizan strife, elevated immeasurably the character of our gubernatorial chair.

Which was agreed to.

Mr. McFadin offered the following resolution :

*Resolved*, That the thanks of this House be tendered to Mr. Leander Chipman, for his courteous, gentlemanly and efficient conduct in attending to the duties of Postmaster of this House.

Which was agreed to.

Mr. McCarthy, from the Joint Committee, on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bills Nos. 300, 223, 348, 23, 158, 189, 39, 345, and 89, have carefully compared them with the engrossed copies thereof,

and have directed me to report that they find the same correctly enrolled.

Mr. Stackhouse offered the following :

*Resolved*, That the thanks of the House are hereby tendered to Mr. Samuel Brown, Mail Carrier, for the very efficient manner in which he has performed his duties.

Which was agreed to.

Mr. Sabin, from the Committee on Fees and Salaries, by consent, made the following report :

MR. SPEAKER :

The Committee on Fees and Salaries, to whom was referred House bill No. 147, beg leave to report the same back without action, not having time to act upon the same.

Which was laid on the table.

Mr. Kiser offered the following resolution :

*Resolved*, That the Auditor of State be requested to furnish Hon. Peter Kiser a note of each free bank now cancelled, which may be in his possession, for the purpose of insertion in his scrap book.

Which was agreed to.

Mr. Baker offered the following resolution :

*Resolved*, That the thanks of this House be, and the same are hereby tendered to the Hon. Capt. P. A. B. Kennedy, First Assistant Clerk, for his able official course and gentlemanly courtesy during the present session.

Which was agreed to.

Mr. Litson offered the following resolution :

WHEREAS, The General Assembly at its present session passed a joint resolution creating Military Claim Agencies at the cities of

Washington and Indianapolis, for the collection of soldiers' claims against the general government, and the friends of said resolution having urged as a reason for its passage that it was intended to benefit the soldiers only ; therefore,

*Be it resolved by the House of Representatives, the Senate concurring,* That we earnestly recommend His Excellency Gov. Conrad Baker to appoint to said agencies none but soldiers who served in the late war for the suppression of the rebellion at least three years, or have been wounded and shall have received an honorable discharge from the United States service.

Which was agreed to.

Mr. Daggy offered the following resolution :

*Resolved,* That the Committee on the Judiciary be requested to return to the House Senate bill No. 198.

Which was agreed to.

Mr. Greene offered the following resolution :

*Resolved,* That the thanks of this House are due and are hereby tendered to Camptain John Campbell, Doorkeeper, and his Assistants, for the very able and efficient manner in which their duties have been performed.

Which was concurred in.

Mr. McFadin offered the following resolution :

*Resolved,* That the thanks of the House be tendered to Mr. S. H. Cobb, Speaker's Clerk, for the gentlemanly courtesy and efficient manner in which he has performed the duties pertaining to said position.

Which was agreed to.

Mr. Smith, of Wabash, offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That the State Printer is hereby authorized to print five hundred



copies of the acts of the General Assembly passed at the present session, in the German language.

Mr. Bischof moved to lay the resolution on the table.

Which was agreed to.

Mr. Chambers offered the following resolution :

*Resolved*, That the publishers of the Daily Journal, Herald, and Gazette be requested to send a copy of their respective papers containing a list of the acts passed at the present session of the Legislature to the members of this House.

Which was agreed to.

Mr. Shook offered the following resolution :

*Resolved*, That the thanks of this House are hereby extended to the State Librarian for the cordial and impartial manner in which he has continued the duties of that office.

Which was agreed.

Mr. Shuey offered the following resolution :

*Resolved*, That all committees and members be requested to return to the House all bills in their hands, to be placed on file by the Clerk.

Which was agreed to.

Mr. Miller moved to take up Senate joint resolution No. 12.

Which was not agreed to.

Mr. McFadin asked and obtained leave to record his vote in the negative on the passage of Senate bill No. 117.

Mr. Chambers, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The Committee on Corporations, to whom was referred House bills Nos. 239, 271, 165, 315, and 192, and also an act to amend an

section sixteen of act entitled an act granting to the citizens of Rising Sun a city charter, etc.; also petition No. 13, and also resolution Nos. 11 and 14, have had the same under consideration, and have directed me to report the same back to the House without taking any action thereon.

Mr. Higgins offered the following resolution:

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the House, and a like number on the part of the Senate be appointed to wait on the Governor to ascertain whether he has any further communication to make to the General Assembly.

Which was agreed to.

The Speaker announced that he had appointed as such committee, on the part of the House, Messrs. Higgins, Daggy, and Tebbs.

*Ordered,* That the Clerk inform the Senate thereof.

Mr. Hamilton offered the following resolution:

*Resolved by the House of Representatives, the Senate concurring,* That the State Printer is hereby authorized to print or cause to be printed six hundred copies of the acts of the General Assembly passed at the present session, in the German language.

The question being on the adoption of the resolution offered by Mr. Hamilton.

Messrs. Hartman and Hamilton demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baker, Belford, Bird, Black, Blanch, Bobo, Carter, Chambers, Corey, Crowe, Daggy, Douglass, Dunn, Edmonson, Evans, Ferris, Geisendorff, Greene, Greer, Hartman, Hamilton, Honneus, Hostetter, Hudson, Hungate, Kiser, Long of Jackson, Lopp, Martin, McCarthy, McLean, McMurray, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Rosser, Seommahorn, Shanks, Shook, Smith of Lagrange, Smith of Wabash, Stafford, Tebbs, Thrasher, Van Valkenburgh,

Wason, Watson, Wilson, White, Wolfe, Woods, and Mr. Speaker—59.

Those who voted in the negative were,

Messrs. Danaldson, Ervin, Gordon, Griggs, Hughes, Litson, Sabin, Spencer, Stackhouse, and Stewart—10.

So the resolution was agreed to.

*Ordered*, That the Clerk inform the Senate thereof.

On motion, Senate joint resolution No. 10 was taken up.

Senate Joint Resolution No. 10. A joint resolution in reference to the imprisonment in Canada of the Rev. John McMahan.

Was read.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Baker, Belford, Black, Bobo, Carter, Chambers, Corey, Crowe, Daggy, Danaldson, Dunn, Edmonson, Evans, Ferris, Funk, Geisendorff, Gordon, Greene, Greer, Hartman, Hamilton, Higgins, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Martin, McCarthy, McClasky, McFadin, McLean, Miller, Moore, Morrison, Montgomery, Newcomb, O'Neil, North, Peelle, Prather, Ratliff, Ross, Rosser, Seammahorn, Shook, Shuey, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stewart, Tebbs, Thacher, Thrasher, Van Wason, Watson, Wilson, White, Wolfe, Wolfier, Valkenburgh, Vawter, Woods, and Mr. Speaker—70.

No one voting in the negative.

So the Senate joint resolution No. 10 passed.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. Geisendorff offered the following resolution:

*Resolved*, That all the employees of the House be allowed a H. J.—76

copy of the Adjutant General's report; and the State Librarian is hereby authorized to furnish them a copy of the same. The same to be taken from the volumes deposited in the library by the resolution of the last session of the General Assembly.

Which was agreed to.

Mr. Newcomb offered the following resolution :

*Resolved, the Senate concurring,* That the Auditor of State is authorized to sell at public or private sale an old pile driver belonging to the State, now at or near Broad Ripple in Marion, county, and that the proceeds thereof be paid into the treasury, to be disposed of according to law.

Which was agreed to.

Mr. Hostetter offered the following concurrent resolution :

WHEREAS, At the beginning of the late civil war, it was declared that the "war should not be prosecuted in a spirit of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights, or institutions of the States, but to maintain the supremacy of the Constitution, and preserve the Union with all the dignity, equality and rights of the several States unimpaired; and that as soon as these objects are accomplished, the war ought to cease;"

AND WHEREAS, To carry into execution this solemn pledge a bloody war of four years was waged by the patriotic soldiers of the Republic, terminating in the surrender of all those in arms against the Government, and in the complete submission of the people of the Southern States, to the authority of the Federal Government;

AND WHEREAS, For nearly two years no organized resistance has been offered, in any one of the States lately involved in the rebellion, to the authority of the Federal Government, and no impediment exists to prevent the civil authorities of the United States from carrying into complete effect the solemn pledge made by the Government, in the name of the people; therefore,

*Resolved by the House of Representatives, the Senate concurring,* That it is the solemn judgment of this General Assembly of the State of Indiana that the long delay in bringing

about a complete restoration of the political relations between the Federal Government and the States lately involved in the rebellion, has been caused, not by a desire to preserve the "Union with all the dignity, equality and rights of the several States unimpaired," but to enable a radical majority in Congress to force upon the people of the Southern States the odious doctrine of negro equality, and negro suffrage.

That the measures of the late Congress in extending the right of suffrage to the negroes of the District of Columbia, and in all the territories of the United States; and in forcing the people of Nebraska and other new States offering themselves for admission into the Union, to so amend their constitutions, as to strike out all distinction on account of race or color, are but a part of a general plan to establish the right of suffrage in this country upon the basis of negro equality, and meets with our unqualified condemnation.

That the late act of Congress, known as the "Military Bill," passed over the President's veto, establishes a military despotism in ten States of the Union, and leaves to the people thereof no escape from the tyranny thus established over them, except in the formation of new State Governments, on the basis of negro equality; and in all its features is in conflict with the declaration of principles under which the war was conducted and carried through to success, as well as at war with every principle of free government.

That the people of Indiana are opposed to negro suffrage in all its phases, that we do not intend that it shall be adopted in our State, nor do we intend to divide the political power of our State with the African race; and we do not believe it manly or just to force upon an unwilling people, laws and institutions that are distasteful to ourselves; and we, therefore, instruct our Senators, and request our Representatives in Congress in all measures designed to restore political relations with the Southern States, to leave the people of those States free to adopt or reject negro suffrage as to them may seem best for their interests and welfare, hoping that the action of the people everywhere shall be such as to leave our Government what our fathers made it, "a white man's government."

Which was referred to the Committee on Federal Relations.

Mr. McCarthy, from the Joint Committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The Joint Committee on Enrolled Bills, to whom was referred enrolled House bill No. 19, have carefully compared it with the engrossed copy thereof, and have directed me to report that they find the same correctly enrolled.

The Speaker announced that he had signed Senate bills Nos. 103, 214, 203, 164, 95, 154, 75, 175, 40, 89, 4, 236, 213, 223, 246, 41, 125, 244, 206, 237, 242, 195, 140, 29 and 79.

The Speaker announced that he had signed House bills Nos. 348, 145, 300, 89, 223, 23, 158, 189, 39, 130, 350, 83, 225, 179, 207, 159, 48, 350, 334, 63, 343, 18, 101, 72 and 93.

Also House Joint Resolution No. 2.

Mr. Hartman offered the following concurrent resolution:

*Resolved by the House of Representatives, the Senate concurring,*  
That the State Librarian be hereby authorized and directed to employ a night watchman to protect the State House and the property therein.

Mr. Hughes moved to take up Senate Joint Resolution No. 12.

Mr. Woods moved to lay the motion by Mr. Hughes on the table.

Messrs. Woods and Ferris demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Blanch, Campbell, Daggy, Dunn, Evans, Ferris, Foulke, Funk, Geisendorff, Greer, Hartman, Hamilton, Higgins, Hostetter, Hudson, Long of Kosciusko, McCarthy, McClasky, McMurray, Moore, Montgomery, Sabin, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thrasher, Vawter, Wason, Watson, Wilson, Woods, and Mr. Speaker—36.

Those who voted in the negative were,

Messrs. Baker, Belford, Black, Bobo, Carter, Chambers, Corey, Crowe, Douglass, Edmonson, Gordon, Greene, Griggs, Honneus, Hughes, Hungate, Inman, Kiser, Long of Jackson, Lopp, Martin, McFadin, McLean, Miller, Newcomb, North, O'Neil, Prather, Ratliff, Ross, Rosser, Scammahorn, Shanks, Shook, Shuey, Stackhouse, Tebbs, Thomas, Van Valkenburgh, Wolfe, and Wolfer—41.

So the motion to lay on the table did not prevail.

The question being on the motion by Mr. Hughes, to take up Senate Joint Resolution No. 12.

It was agreed to.

Senate Joint Resolution No. 12. A Joint Resolution authorizing the Governor, Auditor of State, Treasurer of State, and Secretary of State to hire the prison labor of the State Prisons.

Mr. Ross offered the following:

I raise the point of order that the proposed joint resolution will, if adopted, change the law on the subject of the leasing of the prisons, and it is not competent to so change the laws.

Which point was decided by the Speaker to be well taken.

Mr. Hughes appealed from the decision of the Chair, as follows:

Joint Resolution No. 12 being before the House for its action, the Speaker decides that said resolution changes the existing laws, and is therefore out of order, from which decision the undersigned appeals.

The question being, shall the decision of the Chair stand as the judgment of the House?

Messrs. Greene and Stafford demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Blanch, Daggy, Danaldson, Dunn, Evans, Ferris, Foulke, Funk, Gisendorff, Greer, Hartman, Hamilton, Higgins, Hostetter



Hudson, Kiser, Litson, Long of Kosciusko, McCarthy, McClasky, McFadin, McMurray, Moore, Montgomery, Newcomb, Peelle, Ratliff, Sabin, Scammahorn, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stafford, Stewart, Thacher, Thrasher, Vawter, Wason, Watson, Wilson, White, and Woods—45.

Those who voted in the negative were,

Messrs. Belford, Black, Chambers, Corey, Douglass, Edmonson, Gordon, Greene, Griggs, Honneus, Hughes, Hungate, Inman, Long of Jackson, Martin, McLean, Miller, Morrison, O'Neal, Prather, Ross, Shook, Stackhouse, Tebbs, Thomas, Van Valkenburgh, Wolfe, and Wolfer—31.

So the decision of the Chair was sustained by the House.

The Speaker announced that he had signed House bill No. 19.

Message from the Senate, by Mr. Wilson, their Secretary :

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled acts Nos. 37, 102, and 2, and joint resolution of the Senate No. 10.

And transmits the same for the signature of the Speaker.

And that the President of the Senate has signed Enrolled Act of the House No. 19.

The Speaker announced that he had signed Senate bills Nos. 102, 2, and 37, and Senate joint resolution No. 10.

Mr. Lopp moved to take up the following Senate concurrent resolution.

Which was agreed to.

*Resolved by the Senate, the House of Representatives concurring,*  
That the Governor of the State of Indiana, shall appoint three commissioners, whose duty it shall be, after having, before some



competent officer, taken an oath to faithfully and impartially discharge their duties, to proceed to hear, determine and adjust all claims for losses which have heretofore accrued by reason of the injury, destruction, loss or impressment of property had or held by any inhabitant of the State of Indiana by rebel forces under the command of the rebel John Morgan, in the year 1863, or caused by the State or National forces engaged in repelling said invasion, or caused by organizing and equipping troops to repel the threatened invasion of the State by the rebel forces under the command of Adam Johnson, in the year 1864.

2. All persons having such claims as aforesaid, shall, on or before the first day of June, 1867, file with the Clerk of the Circuit Court, in the counties of Posey, Knox, Vanderburgh, Warrick, Daviess, Pike, Gibson, Harrison, Floyd, Washington, Jackson, Scott, Clark, Jennings, Bartholomew, Lawrence, Orange, Perry, Spencer, Crawford, Jefferson, Brown, Ripley, Dearborn, Decatur, Fayette, Franklin, Switzerland, Ohio, and Johnson, the claims hereinafter required. And it shall be the duty of said Clerks to file said claims in their respective offices, and immediately after said first day of June, 1867, make out and forward to said Commissioners a complete list of the names, numbers and amount of said claims. Each claim filed with the Clerk as aforesaid, shall contain a plain and concise statement of the property lost, injured, impressed or destroyed, the nature of the injury and the amount of damage sustained, and in what county, and at or about what time the loss occurred; and (if the fact is known) whether it was caused by the rebel, or by the State or National forces; also, that such claimant has received no compensation for such loss, and did not invite, encourage or assist said raids, or any of them, which claim shall be verified by the oath of the claimant.

3. The Governor shall also appoint an Attorney who shall be present at all the meetings of said Commissioners, and shall act as the Attorney of the State, and shall look after and protect the interests of the State; said Attorney shall, before entering upon his duties, take an oath to faithfully discharge the duties of his office.

4. Said Commissioners shall have power to appoint a clerk, who shall take an oath to discharge the duties of his office; and it

shall be the duty of said clerk to keep a complete record of the proceedings of said Commission, and file and preserve the papers thereof under the direction of said Commissioners.

5. Said Commissioners shall organize on or before the first Monday of June, 1867, and a session of said Commissioners shall be held at the county seat of each one of the counties through which the raid of said Morgan's forces was made, and at such other places as said Commissioners may determine; due notice shall be given of the time and place of such meetings by the Commissioners, and the Clerk of each county shall also notify each claimant of the time and place the Commissioners are to meet in such counties.

6. The Commissioners shall have power to compel the attendance of witnesses and administer oaths in the same manner as is provided by law for the Circuit Courts, and the Sheriff of the county in which the Commissioners are holding their sessions shall be required to serve all process required by said Commissioners, but the State shall in no event be liable for the cost of witnesses summoned in behalf of the claimants, nor for the cost of summoning such witnesses.

7. Said Commissioners shall examine all claims duly presented, and ascertain the amount of loss thereon, and whether the claim be meritorious, as upon the evidence before they may deem just and equitable, separating said claims into the following classes:

First. Claims for property taken or destroyed or injured by the Union forces under command of United States officers.

Second. Claims for property taken or destroyed or injured by the Union forces under State officers.

Third. Property taken or destroyed or injured by the rebels.

Fourth. Property taken or destroyed or injured where claimant is unable to identify by which the loss occurred.

8. Said Commissioners shall have power to adopt all such forms, rules, and regulations as may be necessary and proper to facilitate the discharge of their duties; and they shall require the clerk of said Commission to make a complete record of each claim presented and a comprehensive abstract of the testimony taken,

and also the finding of said Commission, or its decision thereon, which decision shall be signed by said Commissioners and attested by the clerk; and upon the completion of their labors, or on or before the first day of January, 1868, said Commissioners shall report their proceedings, their findings, and the facts upon which each claim is founded, to the Governor, who shall report the same to the next General Assembly with his recommendation thereon. The Governor shall also recommend the amount of compensation which shall be paid said Commissioners and other officers in this resolution: *Provided*, That not more than \$3,000 be used to defray the expenses of such Commission. The Governor shall cause this resolution to be published and ten copies forwarded to the Clerk of each of the counties hereinbefore mentioned, who shall have the same posted up in public places and copied into the newspapers of such county, if any be published therein.

Mr. Lopp moved to concur in said resolution.

Mr. Woods offered the following amendment:

Amend by striking out all in reference to any claims other than for acts of U. S. soldiers and militia of the State of Indiana.

Mr. Lopp moved the previous question.

Which was seconded by the House.

The question being, shall the main question be now put?

It was so ordered.

The question being on the amendment offered by Mr. Woods.

It was not agreed to.

The question being on the resolution.

Messrs. Lopp and Woods demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Black, Blanch, Bobo, Campbell, Corey, Crowe,

Douglass, Dunn, Edmonson, Evans, Greene, Greer, Griggs, Hamilton, Hays, Honneus, Hostetter, Hudson, Hughes, Hungate, Inman, Kiser, Litson, Long of Jackson, Lopp, Martin, McFadin, McLean, Miller, Moore, Montgomery, Newcomb, North, O'Neil, Peelle, Prather, Scammahorn, Shanks, Shook, Skidmore, Spencer, Stackhouse, Stafford, Stewart, Tebbts, Thacher, Van Valkenburgh, Vawter, White, Wolfe, Wolfer, Wolflin, and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Chambers, Daggy, Funk, Geisendorff, Gordon, Hartman, Long of Kosciusko, McClasky, McMurray, Ross, Rosser, Smith of Lagrange, Smith of Wabash, Thrasher, Thomas, Watson, and Woods—17.

So the resolution passed.

*Ordered*, That the Clerk inform the Senate thereof.

Message from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER:

The Senate has passed the following concurrent resolution:

*Resolved by the Senate, the House concurring*, That the Judges of the Supreme Court are hereby authorized to remove the law library from the State House to any building that they may rent for the use of said court, and they shall have exclusive control of said building.

Mr. Campbell moved to take up Senate message, and concur in Senate concurrent resolution.

Which was agreed to, and the resolution concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

Mr. White offered the following resolution:

*Resolved*, That the Librarian be directed to pay over to F. W. Matthes, Representative from the counties of Harrison and Washington, the balance due the latter on stamps and stationery, as allowed each member of this House.

Which was agreed to.

Mr. Scammahorn offered the following resolution :

WHEREAS, Ira Broshear, a journal clerk of this House, owing to an error in the date of his certificate of appointment as such clerk, has not received any pay for five days service, to which he is justly entitled; therefore,

*Resolved*, That the Speaker is hereby requested to issue a certificate of pay for said service.

Which was agreed to.

Mr. Crowe offered the following resolution :

WHEREAS, John Eudaily was appointed an Assistant Clerk in the House of Representatives on the 10th day of January, 1867, and a discrepancy of six days having occurred in his first order for money, therefore,

*Be it resolved*, That the Speaker of the House of Representatives be directed to issue to the Auditor of State a check therefor, the same to date from the 10th day of January, 1867, inclusive.

Mr. Miller moved to amend by inserting the name of "Joseph F. Taylor, for five days," in said resolution.

Which was agreed to.

The resolution, as amended, was then agreed to.

On motion by Mr. Greene, the House adjourned.

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TWO O'CLOCK P. M.

The House met.

Messages from the Senate, by Mr. Wilson, their Secretary.

MR. SPEAKER :

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled Senate act No. 54,

and herewith transmits the same to the House for the signature of the Speaker thereto.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution; to-wit:

WHEREAS, On the 18th of January, 1866, His Excellency, Conrad Baker, then Acting Governor, now Governor, of the State of Indiana, in view of the expediency of securing a proper representative of the industrial and mechanical interest of the State at the Universal Exposition, to be held at Paris during the present year, issued an appointment to John A. Wilstach, of Lafayette, as Commissioner for the encouragement of Emigration, which appointment was made dependent upon future ratification by the General Assembly of the State; and,

WHEREAS, The said John A. Wilstach, since said date, has been devoting himself to the duties of said appointment, and is now in Paris engaged in the labors incident thereto, and it hence becomes proper that said appointment should receive the sanction and authority of the Legislature of this State; therefore be it.

*Resolved by the Senate, the House of Representatives concurring therein,* That the appointment issued as aforesaid, to the said John A. Wilstach, by Acting Governor, now Governor, Conrad Baker, be and the same is hereby ratified and confirmed.

On motion, the message from the Senate was taken up.

Mr. Thacher moved that the resolution be laid on the table.

Which was agreed to.

The Speaker announced that he had signed Senate bill No. 54.

Mr. Griggs offered the following resolution:

*Resolved,* That the Speaker of this House be and is hereby authorized to sign a warrant for Patrick D. Been, for services as coal-

man, employed by the Doorkeeper, for sixty-one days service, and by neglect not by him certified to the Committee on Employees.

Which was agreed to.

On motion, the following concurrent resolution was taken up:

*Resolved by the Senate, the House of Representatives concurring,*  
That the Constitution of the State of Indiana be amended so as to add the following provision :

“Incorporated cities, towns and townships shall have the power, by taxation, under regulations prescribed by the General Assembly, to raise revenue for the support of common schools in addition to the revenue derived for that purpose from the State.”

And that it also be amended so as to add the following provision:

“The General Assembly of the State of Indiana shall never incur any debt or liability, or recognize any claim whatever, growing out of or connected with the Wabash and Erie Canal, or matters, pertaining thereto, except as provided in an act entitled an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, and the act supplemental thereto, approved January 27, 1847, and the said acts shall never be construed so as in any manner to create any liability or legal obligation on the part of said State, but this section shall in no wise be construed as affecting the rights of persons holding the obligations of the State and who are not parties to the adjustment of the debt of this State, as made in the acts herein referred to.”

And that Section 9, Article 4, which reads as follows:

“The sessions of the General Assembly shall be held biennially, at the Capital of the State, commencing on the Thursday next after the first Monday of January, in the year one thousand eight hundred and fifty-three, and on the same day of every second year thereafter, unless a different day or place shall have been appointed by law. But, if in the opinion of the Governor, the public welfare require it, he may at any time, by proclamation, call a special session.”

Be amended so as to read as follows:

“The session of the General Assembly shall be held annually at



the Capital of the State, commencing on Thursday next after the first Monday of January, after this amendment has been ratified as provided for in the Constitution, and on the same day of each year thereafter, unless a different day or place shall be appointed by law. But, if in the opinion of the Governor, the public welfare require it, he may at any time, by proclamation, call a special session."

And that Section 29, Article 4, which reads as follows:

"The members of the General Assembly shall receive for their services a compensation to be fixed by law, but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly, except the first under this Constitution, shall extend beyond the term of sixty-one days, nor any special session beyond the term of forty days."

Be amended to read as follows:

"The members of the General Assembly shall receive for their services a compensation to be fixed by law, but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly shall be limited by law, but the members thereof shall receive no compensation for their services after the first sixty-one days of the annual session shall have expired, and the first forty days of the special session shall have expired."

The Governor shall cause an authenticated copy of this resolution to be filed in the office of the Secretary of State, and shall cause the same to be submitted to the next General Assembly for their concurrence.

The question being on the proposition to enable towns and townships to levy additional tax for school purposes.

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Campbell, Crowe, Daggy, Danaldson, Douglass, Dunn, Ervin, Evans, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Hostetter, Hudson, Inman, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McLean, McMurray, Moore, Montgomery, Newcomb, North, Peelle, Prather, Rosser, Scammahorn, Shook, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse,



Stafford, Stewart, Tebbs, Thomas, Wason, Wilson, Wolfer, Woods, and Mr. Speaker—54.

Those who voted in the negative were,

Messrs. Bobo, Edmonson, Honneus, Hughes, Kiser, McFadin, Shanks, Shields, Thacher, Thrasher, Vawter, Williams, White, and Wolfe—14.

So the amendment was concurred in.

Message from the Governor, by Mr. Commons, his Private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform your honorable body that he has approved and signed enrolled act No. 278. An act to fix the time of holding the Circuit Courts in the Fourth Judicial Circuit, and declaring an emergency.

Also, enrolled act No. 349. An act supplemental to an act declaratory of the meaning of an act passed at the special session of the General Assembly, begun on the 13th day of November, 1865, and entitled "an act to secure a just valuation and taxation of all railroad property within this State, to legalize the valuation, assessment, adjustment, and payment of taxes for such property, made subsequent to the year 1859."

Also, enrolled act No. 40. An act to amend an act entitled "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleadings and practice, without distinction between law and equity," approved June 18, 1852.

Also, enrolled act No. 17. An act in relation to conveyances of land by wives of persons of unsound mind.

Also, enrolled act No. 211. An act authorizing hydraulic companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.

Also, enrolled act No. 276. An act to amend an act to amend section 124 of an act entitled "an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State," approved June 21, 1852, which first above mentioned act was approved March 11, 1861.

Also, enrolled act No. 277. An act to amend section one of an act entitled "an act to amend sections 123 and 136 of an act entitled 'an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State,'" approved June 21, 1852; and to repeal sections 138, 139 and 140 of said act, approved June 3, 1861.

Also, enrolled act No. 144. An act to prevent the spread of disease among sheep.

Also, enrolled act No. 91. An act vacating portions of highways located in cases therein specified.

Also, enrolled act No. 275. An act to amend section three of an act entitled "an act to amend sections 78, 79, 94, 95, 104, 142, and 143 of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Auditors and Treasurers, and the Treasurer and Auditor of State," approved June 21, 1852, and to repeal an act entitled "an act to amend the one hundred and forty-third section of an act entitled an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, and Appraisors of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852, approved March 4, 1859, approved May 31, 1859.

Also, enrolled act No. 4. An act to amend section twenty of

an act entitled "an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.

Also, enrolled act No. 107. An act to amend section twenty-one of an act entitled "an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.

Also, enrolled act No. 286. An act providing for the erection of a suitable building for the use of the Supreme Court and State officers; for borrowing money from the Sinking Fund therefor, and securing the repayment of the same; making certain regulations touching the Law Library, and authorizing the Judges of the Supreme Court to rent rooms for their accommodation until such building is completed.

Also, enrolled act No. 89. An act to provide for the construction of sewers within incorporated towns; defining the powers and duties of Boards of Town Trustees in relation thereto, and to repeal all other laws in conflict therewith.

Also, enrolled act No. 348. An act making general appropriations for the years one thousand eight hundred and sixty-seven, and one thousand eight hundred and sixty-eight; defining the salaries and official terms of certain officers; repealing certain laws therein named, and declaring an emergency.

Also, enrolled act No. 83. An act to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith, and declaring an emergency.

Also, enrolled act No. 225. An act to amend section four of an act containing several provisions regarding landlords, tenants, lessors, and lessees, approved May 20, 1852.

Also, enrolled act No. 179. An act to authorize any person desiring to erect a flouring mill, or other machinery to be propelled by water, on his own land; to erect a dam or make a raceway above such mill or machinery, on and through lands belonging to

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other persons, and to regulate the assessment and payment of damages therefor, being an act supplemental to article forty-one, chapter one, of part second of the Revised Statutes of 1852.

Also, enrolled act No. 159. An act to amend sections six hundred and forty-nine, and six hundred and fifty of the act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms, in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Also enrolled act No. 334. An act to legalize the action of the State Board of Equalization at its session in 1864, and declaring the duty Auditor of State in relation thereto.

Also, enrolled act No. 48. An act in relation to the change of public highways.

Also, enrolled act No. 207. An act to amend sections 405 and 406 of an act entitled "an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Also, enrolled act No. 63. An act to amend section eleven of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852.

Also, enrolled act No. 39. An act to legalize and declare valid and effectual all the orders, judgements, and other proceedings, made, rendered, and had by and before the Common Pleas Court of Clinton county, in this State, held in the Court House of said county in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several judges of the said court.

Also, enrolled act No. 189. An act requiring all persons who plat towns, or additions to any town or city, in this State, to have the lands, embraced in such addition or plats, transferred for taxation by the Auditor of the county, and providing for taxing the same.

Also, enrolled act No. 300. An act to amend section first of an act entitled "an act to amend section first of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties of this State; the duration of the terms thereof, and making all process from the present Common Pleass Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859, approved January 26, 1861.

Also, enrolled act No. 23. An act to enable the owners of wet lands to drain and reclaim them where the same cannot be done without affecting the lands of others, prescribing the powers and duties of County Boards and County Auditors in the premises, and repealing all laws inconsistent therewith.

Also, enrolled act No. 350. An act making specific appropriations for the year one thousand eight hundred and sixty-seven.

Also, enrolled act No. 158. An act in relation to the compounding and concealing of crimes, and the compounding of prosecutions, and prescribing penalties therefor.

Also, enrolled act No. 145. An act to amend the seventh clause of section twenty-two of an act entitled "an act for the incorporation of towns; defining their powers; providing for the election of officers thereof, and declaring their duties," approved June 11, 1852.

Also, enrolled act No. 18. An act to amend section fifteen, and to repeal sections twenty-nine and thirty of "an act regulating general elections, and prescribing duties of the officers in relation thereto," approved June 7, 1852, and prescribing further duties of the officers of elections.

Also, enrolled act No. 343. An act to amend sections 109, 110, 111 and 119 of an act entitled "an act to provide for a general

system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed," approved March 6, 1865.

Also, enrolled act No. 101. An act to amend the act entitled an act to amend the act entitled "an act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads," approved February 28, 1855.

Also, enrolled act No. 72. An act to amend an act entitled "an act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons; directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern State Prison, and making appropriations for the support of said prison," approved June 1, 1861.

Also, enrolled act No. 93. An act forbidding the locking of railroad cars, in certain cases, and providing punishment therefor.

Also, enrolled act No. 81. An act regulating the employment of persons under sixteen years of age in cotton and woolen factories of this State.

Also, enrolled act No. 130. An act to amend section twenty-eight of an act entitled "an act defining felonies, and prescribing penalties therefor," approved June 10, 1852.

Also, Joint Resolution No. 2. A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to have the interest bearing debt of the United States first paid.

And that the same have been deposited in the office of the Secretary of State.

Mr. Greene offered the following resolution :

WHEREAS, The members of the Legislature are paid five dollars per day; and,

WHEREAS, All have drawn their warrants and received their pay; and,

WHEREAS, Many of the members have left for their homes, without leave of absence, thereby breaking a quorum; therefore,

*Resolved*, That all members that have absented themselves without leave, thereby breaking a quorum, are hereby censured by this House, and the Clerk shall record the names of such absentees.

Which was agreed to.

Mr. Greene moved a call of the House.

Which was agreed to.

Those who answered to their names were,

Messrs. Belford, Blanch, Bobo, Campbell, Crowe, Daggy, Dandaldson, Douglass, Dunn, Edmonson, Evans, Funk, Geisendorff, Gordon, Greene, Greer, Griggs, Hartman, Hamilton, Hays, Honneus, Hostetter, Hudson, Hughes, Inman, Kiser, Litson, Long of Jackson, Long of Kosciusko, Lopp, Martin, Mason, McClasky, McFadin, McLean, McMurray, Miller, Moore, Montgomery, Newcomb, North, Peelle, Prather, Rosser, Scammahorn, Shanks, Shields, Shook, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Tebbs, Thacher, Thrasher, Thomas, Van Valkenburgh, Vawter, Wilson, White, Wolfe, Wolfer, Woods, and Mr. Speaker—67.

Mr. Stafford moved that the doors of the House be closed, and that the absent members be sent for.

Which was agreed to.

Messrs. Rosser, Williams and Hughes appeared and were excused.

On motion, further proceedings under the call of the House was dispensed with.



Mr. Daggy, from the Committee on Temperance, made the following report :

MR. SPEAKER :

The Committee on Temperance, in response to the resolution of the House, beg leave to report that they have examined the petitions, memorials, and remonstrances on the subject of temperance, and, as the result of such examination, find that there have been presented four hundred and fifty eight petitions, with the names of 46,475 men, women and children, for a law prohibiting the sale and traffic of intoxicating liquors as a beverage; twelve petitions, with the names of 1,001 persons, for a law prohibiting the sale and traffic of intoxicating liquors, except upon the condition that the person designing to sell by retail should be allowed to have license therefor, upon his presenting to the Board of Commissioners a petition signed by a majority of the legal voters of such township, town or city where said liquors are to be sold; three petitions, with the names of 211 persons, with the additional condition that such applicant shall give bond to keep an orderly house; three petitions, with 135 names, for a law for the promotion of temperance, and a more thorough suppression of the retail traffic of intoxicating liquors; to punish drunkenness, and to punish officers, charged with the execution of the law, who neglect or refuse to enforce the violation of the same; three petitions, with 173 names, asking that the Legislature do not pass any bills before them on the subject of temperance, and that minors be punished who impose upon and deceive licensed liquor dealers; three petitions, with 216 names, desiring no legislation; three petitions, with 227 names, for a prohibitory law, and in case of failure to get such a law, then that the question of license shall be submitted to the qualified voters of cities, towns, townships, and counties, and in either case, drunkenness to be punished as a crime, and amending section nine of the present law, so as not to require notice of the habit of intoxication; also to strike out of said section the word "knowingly;" also for compulsory process to compel the disclosure of the time when and the person of whom they get liquor, and making such disclosure a sufficient information upon which to issue a warrant for the arrest of the offenders. Also, a memorial from the Western Yearly Meeting of Friends, for Southern and Western Indiana, held at Plainfield, Hendricks county, Indiana, in



the 9th month, 1866, on the emendation of the law regulating the sale and use of intoxicating liquors; that the present law be so amended that drunkenness may be made a crime, and its exhibition in our streets and public highways be made punishable by fine and imprisonment during intoxication, and when any license liquor seller shall be convicted of any infraction or evasion of the law, he shall be punishable by fine, and his license be declared forfeited; all of which is submitted. 485 petitions, 48,438 names.

The question being on concurring in the second proposition submitted by the Senate in concurrent resolution.

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Bobo, Campbell, Daggy, Danaldson, Dunn, Ervin, Evans, Funk, Geisendorff, Gordon, Greer, Hartman, Hamilton, Hudson, Litson, Long of Kosciusko, Lopp, Mason, McClasky, McLean, McMurray, Moore, Montgomery, Newcomb, North, Peelle, Prather, Rosser, Scammahorn, Shook, Skidmore, Smith of Lagrange, Smith of Wabash, Spencer, Stackhouse, Stafford, Stewart, Thomas, Wason, Wilson, Wolfe, Wolfer, Woods, and Mr. Speaker—47.

Those who voted in the negative were,

Messrs. Crowe, Edmonson, Griggs, Hays, Honneus, Hostetter, Hughes, Inman, Kiser, Long of Jackson, Martin, McFadin, Miller, Shanks, Shields, Tebbs, Thacher, Thrasher, Van Valkenburgh, Vawter and White—21.

So the amendment was not agreed to.

The question being on concurring in the concurrent resolution.

Mr. Newcomb moved that the House refuse to concur in said resolution.

Which was agreed to.

Mr. Miller moved to take up the concurrent resolution of the Senate relative to Mr. Wilstach.

Which was agreed to.

Mr. Miller moved to concur in said resolution.

Messrs. Honneus and Wolfe demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Belford, Blanch, Campbell, Daggy, Danaldson, Dunn, Ervin, Evans, Funk, Gordon, Greer, Griggs, Hartman, Hamilton, Hughes, Litson, Long of Koseiusko, Martin, Mason, McClasky, McLean, McMurray, Miller, Moore, Newcomb, North, Peelle, Prather, Rosser, Seammahorn, Shook, Skidmore, Smith of Lagrange, Smith of Wabash, Stafford, Stewart, Thrasher, Thomas, Wason, Wilson, Wolfer, Woods, and Mr. Speaker—42.

Those who voted in the negative were,

Messrs. Bobo, Crowe, Edmonson, Geisendorff, Hays, Honneus, Hostetter, Hudson, Kiser, Long of Jackson, Lopp, McFadin, Shanks, Shields, Spencer, Stackhouse, Tebbs, Van Valkenburgh, and Wolfe—19.

So the resolution was concurred in.

*Ordered*, That the Clerk inform the Senate thereof.

*Report of stationery and stamp account of members, elective officers, and committees of the House of Representatives:*

GENTLEMEN:—In accordance with the resolution of your honorable body, I herewith transmit a statement of the amount of stationery, stamps, etc., issued to the individual members, elective officers, and committees of the House of Representatives. All of which is respectfully submitted.

B. F. FOSTER,  
*State Librarian.*

March 9, 1867.

W. A. PEELLE—

One-fourth ream note paper.....	\$1 15
One quire foolscap.....	45
One quire Congress letter.....	40
One package buff envelopes.....	15
Two packages white envelopes.....	35

## W. A. PEELLE—Continued.

Three hundred 2-cent stamps.....	\$6 00
Four hundred 3-cent stamps.....	12 00
Stationery ... ..	15 00
	————\$40 00

## WM. W. FOULKE—

One-half ream legal cap.....	\$5 50
One-half ream Congress letter.....	4 00
Two package buff envelopes.....	30
One package white envelopes.....	18
One-half dozen pencils.....	40
One sheet blotting pad.....	10
Six pen holders.....	10
One hundred 2-cent stamps.....	2 00
Five hundred and sixty-five 3-cent stamps...	16 95
Stationery .....	10 50
	————\$40 00

## BENJ. L. MARTIN—

Two quires legal cap.....	\$1 10
Three-fourth ream foolscap.....	6 75
Three-fourths ream Congress letter.....	6 00
One and a half reams note paper.....	6 25
One package legal envelopes.....	25
Eleven packages buff envelopes. ....	1 90
One package white envelopes.....	18
One bottle muscilage.....	25
Two hundred and ninety-one 2-cent stamps.	5 82
Stationery. ....	5 00
Two hundred 3-cent stamps.....	6 00
	————\$40 00

## WM. F. SHULL—

One-half ream foolscap.....	\$4 50
One box pens.....	25
One ream note paper.....	4 50
Nine hundred and eighteen 3-cent stamps...	27 54
Two hundred 2-cent stamps.....	4 00
	————\$40 00

## GEO. W. SPENCER—

Seven quires Congress letter.....	\$2 80
One quire legal cap paper.....	55
One-half quire note.....	15
One package legal envelopes.....	25
Eleven packages buff envelopes.....	1 90
Three pencils.....	20
One box pens.....	25
One bottle ink.....	10
One-fourth sheet blotting pad.....	5
One bottle mucilage.....	25
Two hundred 2-cent stamps.....	4 00
Five hundred 3-cent stamps.....	15 00
Stationery . . . . .	10 00
	—————\$40 00

## JOEL STAFFORD—

One thousand and seventy-eight 3-cent stamps	\$32 34
Two quires Congress letter.....	80
One quire note paper.....	25
One bottle ink . . . . .	10
Stationery.....	5 50
	—————\$40 00

## A. S. DOUGLASS—

Seventy-five 3-cent stamps.....	\$2 25
One quire note paper.....	25
One and a half packages buff envelopes.....	25
One hundred 2-cent stamps.....	2 00
Stationery.....	35 25
	—————\$40 00

## J. L. MONTGOMERY—

Stationery.....	\$21 00
One-quarter ream note paper.....	1 10
One package white envelopes.....	18
Two quires Congress letter.....	80
One hundred 2-cent stamps.....	2 00
Four hundred and ninety-seven 3-cent stamps	14 91
	—————\$40 00

## M. F. SHUEY—

Six quires foolscap paper.....	\$2 70
Nine quires Congress letter.....	3 60
One-half ream legal cap.....	5 00
Six packages white envelopes.....	1 08
Two dozen pencils.....	1 75
One quire note paper.....	25
One hundred and thirty 2-cent stamps.....	2 60
Eight hundred 3-cent stamps.....	24 00
	<hr/> \$40 00

## W. W. THRASHER—

Four quires foolscap.....	\$1 80
One quire legal cap.....	55
Thirty-six quires note paper.....	7 50
Eight packages buff envelopes.....	1 38
Five and a half quires Congress letter.....	2 35
Two boxes pens.....	50
Six packages white envelopes.....	1 05
One dozen pencils.....	75
One hundred and seventy-five 2-cent stamps.	3 50
Seven hundred 3-cent stamps. ....	21 00
	<hr/> \$40 00

## F. W. MATTHIS—

Five quires legal cap.....	\$2 75
Five quires foolscap.....	2 25
Five quires Congress letter.....	2 00
Two quires note paper.....	50
Two packages buff envelopes.....	30
Two packages white envelopes.....	35
Six pencils.....	40
Six penholders.....	5
One box pens.....	25
One bottle ink.....	10
One-fourth sheet blotting pad.....	5
One bottle mucilage.....	25
One inkstand.....	90
Two hundred and two 2-cent stamps.....	4 04
Eight hundred and sixty-one 3-cent stamps..	25 83
	<hr/> \$40 00

## B. F. THOMAS—

Three quires Congress letter.....	\$1 20
One quire foolscap paper.....	45
Three quires note paper.....	75
One package buff envelopes.....	15
Two pen holders.....	5
One and a half dozen pens.....	20
One hundred and fifty 2-cent stamps.....	3 00
One hundred and fifth 3-cent stamps.....	4 50
Stationery.....	28 47
	—————\$40 00

## JNO. S. HOPKINS—

One-half ream Congress letter.....	\$4 00
One quire legal cap paper.....	55
One-half ream note paper .....	2 25
Two packages legal envelopes.....	50
Two packages buff envelopes.....	30
Three packages white envelopes.....	54
Two pencils.....	15
Six pen holders.....	10
One box pens.....	25
One hundred 2-cent stamps.....	2 00
Eight hundred and twenty 3-cent stamps....	24 60
Stationery.....	5 50
	—————\$40 00

## A. S. GRIGGS—

Three-fourths ream note paper....	\$3 15
One hundred 2-cent stamps.....	2 00
Eleven hundred and sixty-one 3-cent stamps.	34 83
	—————\$40 00

## EZRA WRIGHT—

Twenty-two quires note paper.....	\$4 50
Two packages buff envelopes.....	30
Two pencils.....	15
One pen holder.....	5
One box pens.....	25
One ream Congress letter.....	8 00
One box white envelopes.....	1 75
One hundred 2-cent stamps.....	2 00
Seven hundred and sixty-eight 3-cent stamps	23 04
	—————\$40 00

## M. BRUCKER—

One-fourth ream legal cap.....	\$2 75
One and a half reams Congress letter.....	12 00
Two packages legal envelopes.....	50
Two packages buff envelopes.....	30
One package white envelopes.....	18
Three lead pencils.....	20
Three pen holders.....	5
One box pens.....	25
One bottle ink.....	10
One inkstand.....	90
Four hundred 2-cent stamps.....	8 00
Three hundred and thirty-two 3-cent stamps.	10 00
Stationery .....	5 00
	————\$40 00

## J. H. O'NEIL—

Eleven quires legal cap.....	\$5 55
Twelve quires Congress letter.....	4 80
Four packages legal envelopes.....	1 00
Five packages buff envelopes.....	75
Six pencils.....	40
One-fourth sheet blotting pad.....	5
One quire note paper.....	25
One package white envelopes.....	18
One quire Congress letter (additional).....	40
One hundred 2-cent stamps.....	2 00
Five hundred and four 3-cent stamps.....	15 12
	————\$40 00

## GEORGE WOLFLIN—

Eleven quires legal cap.....	\$5 55
Fifteen quires Congress letter.....	6 00
Six packages buff envelopes.....	39
Three penholders.....	5
Six pens .....	5
Four hundred and thirty-two 3-cent stamps..	12 96
Two hundred and fifty 2-cent stamps.....	5 00
Stationery .....	10 00
	————\$40 00

## BENJ. F. HAYS—

Two quires legal cap.....	\$1 10
Three quires Congress letter.....	1 20
Twenty-three quires note paper.....	4 75
One package legal envelopes.....	30
Two packages white envelopes.....	35
One pencil.....	10
Three penholders.....	5
One box pens.....	25
One-fourth sheet blotting pad.....	5
One bottle mucilage.....	25
One hundred 2-cent stamps.....	2 00
Six hundred and twenty-seven 3-cent stamps..	18 81
Stationery.....	10 00
	————\$40 00

## WILLIAM SKIDMORE—

Twelve quires foolscap.....	\$5 40
One quire Congress letter.....	40
Two quires note.....	50
One package legal envelopes.....	25
Three packages buff envelopes.....	45
One penholder.....	5
One box pens.....	25
Four quires legal cap.....	2 20
Half dozen pencils.....	40
One bottle mucilage.....	25
Two hundred 2-cent stamps.....	4 00
Five hundred and twenty-nine 3-cent stamps.	15 87
Stationery .....	10 00
	————\$40 00

## BENJ. WOLFE—

Six quires note.....	\$1 25
One quire foolscap.....	45
Two packages buff envelopes.....	30
One pencil.....	10
One hundred and fifty 2-cent stamps.....	3 00
Eleven hundred and sixty-two 3-cent stamps..	34 88
	————\$40 00



## HIRAM WASON—

One ream note paper.....	\$4 50
One pack legal envelopes.....	25
Fourteen bunches buff envelopes.....	2 35
One dozen pencils.....	75
One quire legal cap.....	55
One-fourth ream Congress letter.....	2 00
Two-thirds gross medal pens.....	1 00
One-third gross bank pens.....	40
One bottle mucilage.....	25
Three quires foolscap.....	1 30
Three hundred 2-cent stamps.....	6 00
Four hundred 3-cent stamps.....	12 00
Stationery .....	8 75
	————\$40 00

## JOHN SCAMMAHORN—

Ten and a half quires Congress letter.....	\$2 40
One bottle ink.....	10
One quire legal cap.....	55
One quire foolscap.....	45
Ten and a half quires note.....	2 40
Two packages legal envelopes.....	60
Three packages buff envelopes.....	45
One pack white envelopes.....	18
One-half dozen pencils.....	40
One dozen pen holders.....	10
Three dozen pens.....	40
Two hundred 2-cent stamps.....	4 00
Eight hundred and seventy-two 3-cent stamps	26 16
	————\$40 00

## O. F. BAKER—

Eleven quires legal cap.....	\$5 55
Two quires note paper.....	50
Four packages white envelopes.....	70
One sheet blotting pad.....	15
Four hundred and fifty 2-cent stamps.....	9 00
Five hundred and thirty-six 3-cent stamps....	16 08
Stationery .....	8 00
	————\$40 00

## J. W. LOPP—

One-half ream legal cap.....	\$5 00
One-half ream foolscap.....	4 50
One-half ream Congress letter.....	4 00
One-half ream note.....	2 25
One package buff envelopes.....	15
One package white envelopes.....	18
One quire Congress letter.....	40
One dozen pencils.....	75
One bottle mucilage.....	25
One hundred 2-cent stamps.....	2 00
Six hundred and eighty 3-cent stamps.....	20 40
	————\$40 00

## NELSON FERRIS—

Four hundred 2-cent stamps.....	\$8 00
One quire foolscap.....	45
One quire note.....	25
Two penholders.....	5
Five hundred 3-cent stamps.....	15 00
One pack buff envelopes.....	15
Stationery.....	16 10
	————\$40 00

## A. W. SMITH—

One-half ream Congress letter.....	\$4 00
Five packages buff envelopes.....	\$5
One-half ream note.....	2 25
Four hundred and twenty-five 3-cent stamps.	12 75
Three hundred and fifty 2-cent stamps.....	7 00
Stationery.....	13 13
	————\$40 00

## WM. E. McLEAN—

One ream legal cap.....	\$10 00
One ream Congress letter.....	8 00
Five hundred legal envelopes.....	5 00
One thousand white envelopes. ....	7 00
Three hundred and thirty-three 3-cent stamps	10 00
	————\$40 00

## G. W. GEISENDORFF—

Six quires Congress letter.....	\$2 40
One quire legal cap.....	55
One quire foolscap.....	45
Six quires note.....	1 25
Eight pencils.....	55
One dozen pens.....	10
One-fourth sheet blotting pad.....	5
Two packages buff envelopes.....	30
Six penholders.....	10
One inkstand.....	50
Four hundred 2-cent stamps.....	8 00
Two hundred and fifty 3-cent stamps.....	7 50
Stationery.....	18 40
	————\$40 00

## E. L. WATSON—

Twenty-one and one-fourth quires legal cap..	\$10 70
One-half dozen pencils.....	40
One-half dozen penholders.....	10
Twenty-one quires Congress letter.....	8 40
Six hundred and thirteen 3-cent stamps.....	18 39
One hundred 2-cent stamps.....	2 00
	————\$40 00

## JOHN G. CRAIN—

One hundred 2-cent stamps.....	\$2 00
One quire legal cap.....	55
One quire Congress letter.....	40
One quire note.....	25
One package white envelopes.....	18
Ten hundred and thirty-eight 3-cent stamps.	31 14
Stationery.....	5 50
	————\$40 00

## S. C. SABIN—

Two hundred 2-cent stamps.....	\$4 00
Two hundred 3-cent stamps.....	6 00
Stationery.....	30 00
	————\$40 00

## JAMES McMURRAY—

Two quires legal cap.....	\$1 10
One quire foolscap.....	45
Twelve and one-half quires Congress letter..	5 00
Four packages buff envelopes.....	63
One pencil.....	10
One pack white envelopes.....	18
Eleven quires note paper.....	2 25
Four hundred and fifty 2-cent stamps.....	9 00
Two hundred and fifty-seven 3-cent stamps..	7 71
Stationery .....	10 00
	—————\$40 00

## GEORGE WOLFER—

Four quires note.....	1 00
Two packages buff envelopes.....	30
Half-dozen penholders.....	10
One dozen pens.....	15
One-half ream Congress letter.....	4 00
One package legal envelopes.....	25
One dozen pencils.....	75
Two packages white envelopes.....	35
Three hundred and twenty-five 2-cent stamps	6 50
Nine hundred 3-cent stamps.....	27 00
	—————\$40 00

## GEORGE C. THACHER—

One and one-half reams note paper.....	\$6 00
One pack buff envelopes.....	15
One box white envelopes.....	1 75
Fifty 2-cent stamps.....	1 00
Six hundred and eighty-three 3-cent stamps..	20 49
Stationery.....	10 00
	—————\$40 00

## D. M. STEWART—

Four hundred 2-cent stamps.....	\$8 00
Ten hundred and fifty-two 3-cent stamps....	31 56
One pack legal envelopes.....	25
One pack white envelopes.....	18
	—————\$40 00

## S. S. CROWE—

Eleven quires legal cap.....	\$5 55
One quire Congress letter.....	40
Twenty-one quires foolscap.....	9 45
Twenty-one quires note paper.....	4 25
Eleven packages buff envelopes.....	1 90
One pack white envelopes.....	18
One box legal envelopes.....	3 00
One-half dozen pencils.....	40
Three hundred and ninety-four 3-cent stamps..	11 82
One hundred and fifty 2-cent stamps.....	3 00
	————\$40 00

## LEWIS WILSON—

Two quires legal cap.....	\$1 10
Two quires foolscap.....	90
One quire note paper.....	25
Two packages buff envelopes.....	33
Thirteen pencils.....	85
Two boxes pens.....	50
One-fourth ream note paper.....	1 00
Two penholders.....	5
Two hundred 2-cent stamps.....	4 00
Five hundred 3-cent stamps.....	15 00
Stationery .....	12 00
	————\$40 00

## JAMES HUGHES—

Twenty-one quires Congress letter.....	\$8 40
Five and a half quires note.....	1 15
One package buff envelopes.....	15
One pencil.....	10
Four packages legal envelopes.....	1 20
One box white envelopes.....	1 75
Twenty-four quires legal cap.....	12 20
One quart ink.....	1 00
One sheet blotting pad.....	10
Four hundred and twenty-six 3-cent stamps..	12 78
Fifty-one 2-cent stamps.....	1 02
	————\$40 00

## B. S. FULLER—

One hundred and fifty 2-cent stamps.....	\$3 00
One quire legal cap.....	55
One pencil.....	10
One package buff envelopes.....	15
Two quires Congress letter.....	88
Ten hundred and forty-six 3-cent stamps....	31 38
	————\$40 00

## WILLIAM SMITH—

Two quires legal cap.....	\$1 10
Five packages buff envelopes.....	90
One bottle mucilage.....	25
Two hundred 2-cent stamps.....	4 00
Two hundred 3-cent stamps.....	6 00
Stationery .....	28 25
	————\$40 00

## J. B. BELFORD—

Fifty 2-cent stamps.....	\$1 00
One quire note paper.....	25
Two packages buff envelopes.....	30
Four penholders.....	10
One box pens.....	25
One bottle ink....	10
Two quires Congress letter.....	80
Two packages white envelopes.....	35
Seventy-five 3-cent stamps.....	2 25
Stationery .....	34 65
	————\$40 00

## W. W. HIGGINS—

One-half ream legal cap.....	\$5 50
Eleven quires Congress letter.....	4 40
Twenty-one quires note.....	4 75
One box buff envelopes.....	1 25
Two packages white envelopes.....	35
One sheet blotting bad.....	10
Four hundred 2-cent stamps.....	8 00
Five hundred and twenty-one 3-cent stamps..	15 63
	————\$40 00

## J. A. GREER—

Two quires legal cap.....	\$1 10
One quire foolscap.....	45
Half quire Congress letter.....	20
Half quire note.....	15
Four packages buff envelopes.....	60
One package legal envelopes.....	25
One package white envelopes.....	18
Three pencils.....	25
Six penholders.....	5
One-fourth sheet blotting pad.....	5
Eleven hundred and fifty-two 3-cent stamps..	34 56
One hundred 2-cent stamps.....	2 00
	<hr/> \$40 00

## THEODORE STACKHOUSE—

Eight packages buff envelopes.....	1 20
Four quires Congress letter.....	1 60
Eighteen pencils.....	1 15
Six penholders.....	5
One box pens.....	25
One bottle mucilage.....	25
Half ream foolscap.....	4 50
Three hundred and fifty-one 3-cent stamps...	7 02
Seven hundred and ninety-nine 3-cent stamps	23 97
	<hr/> \$40 00

## FRED. BLACK—

Two hundred 2-cent stamps.....	\$4 00
One-fourth sheet blotting pad.....	5
One bottle mucilage.....	25
One package legal envelopes.....	30
One package buff envelopes.....	15
Eleven hundred and fifty-one 3-cent stamps..	34 53
	<hr/> \$40 00

## ELIJAH NEWLAND—

Eight packs buff envelopes.....	\$1 20
Two quires Congress letter.....	80
Four hundred 2-cent stamps.....	8 00
One thousand 3-cent stamps.....	30 00
	<hr/> \$40 00

## E. HOSTETTER—

Two quires legal cap.....	\$1 10
Two quires foolscap.....	90
Two quires Congress letter.....	80
Two quires note.....	50
Two bunches legal envelopes.....	50
Two packs buff envelopes.....	30
One dozen pencils.....	75
Half dozen penholders.....	5
One box pens.....	1 25
One bottle ink.....	10
Half sheet blotting pad.....	5
One bottle mucilage.....	25
Five hundred 2-cent stamps.....	10 00
Three hundred 3-cent stamps.....	9 00
Stationery.....	13 35
	————\$40 00

## E. HAMILTON—

Twelve hundred and fifty-seven 2-cent stamps,	\$25 14
One quire legal cap.....	55
One quire Congress letter....	40
One quire note.....	25
One package buff envelopes....	15
One package white envelopes.....	18
Three pencils.....	25
One penholder.....	5
Four hundred and thirty-six 3-cent stamps...	13 08
	————\$40 00

## JNO. P. SHOAF—

One-half ream foolscap.....	\$4 50
One ream note.....	4 50
One dozen pencils.....	75
One bottle mucilage.....	25
Eight hundred and sixty-six 3-cent stamps...	25 98
Fifty 2-cent stamps.....	1 00
Four packs buff envelopes.....	60
One gross pens.....	1 50
One quire legal cap.....	50
One quire Congress letter.....	40
	————\$40 00



## A. H. EVANS—

Four quires legal cap.....	\$2 20
Three quires Congress letter.....	1 20
Three quires foolscap.....	1 35
One pack buff envelopes.....	15
One pack legal envelopes.....	25
One pack white envelopes.....	18
Half dozen pencils.....	40
Quarter sheet blotting pad.....	5
One gross pens.....	1 25
Two hundred and twenty 2-cent stamps....	4 40
Two hundred and twenty 3-cent stamps....	6 60
Stationery.....	22 02
	<hr/> \$40 00

## HIRAM PRATHER—

Sixty-two 2-cent stamps.....	\$1 24
One-half quire foolscap.....	25
One and one-half quires Congress letter....	60
Three packs white envelopes.....	54
Seven pencils.....	45
Half dozen penholders.....	10
One box pens.....	25
One quire note.....	25
One pack buff envelopes.....	15
Six hundred and eighty-seven 3-cent stamps.	20 61
Stationery.....	15 00
	<hr/> \$40 00

## F. H. C. HONNEUS—

Four hundred 2-cent stamps.....	\$8 00
One quire legal cap.....	55
One pack buff envelopes.....	18
One thousand and forty-eight 3-cent stamps.	31 44
	<hr/> \$40 00

## PETER KISER—

Seven hundred 3-cent stamps.....	\$21 00
Nine hundred and fifty 2-cent stamps.....	19 00
	<hr/> \$40 00

## JOHN RATLIFF—

Five quires legal cap.....	\$2 75
Two quires Congress letter.....	80
Half dozen pencils.....	40
One penholder.....	5
One box pens.....	25
Two hundred 2-cent stamps.....	4 00
Five hundred and sixty 3-cent stamps.....	16 80
	————\$40 00

## D. H. LONG—

One ream legal cap.....	\$11 00
One ream foolscap.....	9 00
One ream Congress letter.....	8 00
Two packs buff envelopes.....	30
Quarter sheet blotting pad.....	5
Two hundred 3-cent stamps... ..	6 00
Seven and one-half quires note.....	1 65
	————\$40 00

## R. H. LITSON—

Two hundred 2-cent stamps.....	\$4 00
Three hundred 3-cent stamps .....	9 00
Twenty-one quires legal cap.....	10 55
One-half ream Congress letter.....	4 00
One dozen pencils.....	75
Four packs legal envelopes.....	1 00
Stationery .....	10 00
	————\$40 00

## D. C. BRANHAM—

Three quires legal cap.....	\$1 65
Two reams Congress letter.....	16 00
Half ream note.....	2 00
Two boxes pens .....	50
Two packages legal envelopes.....	50
One box buff envelopes.....	1 25
One-fourth sheet blotting pad.....	5
One hundred 2-cent stamps .....	2 00
Five hundred and twenty-five 3-cent stamps.	15 75
	————\$40 00

## E. W. SHANKS—

Six quires legal cap.....	\$3 30
Six quires foolscap.....	2 70
Three quires Congress letter.....	1 20
Six quires note.....	1 50
One package legal envelopes.....	25
Two packages buff envelopes.....	30
One package white envelopes.....	18
One dozen pencils.....	75
Half-dozen penholders.....	5
Two boxes pens.....	50
One bottle ink.....	10
One bottle mucilage.....	25
Five hundred and thirty-five 3-cent stamps...	16 05
Two hundred 2-cent stamps.....	4 00
Stationery.....	8 85
	————\$40 00

## A. H. INMAN—

Six quires Congress letter.....	\$2 40
One package buff envelopes.....	15
One package white envelopes.....	18
Seventeen hundred and thirteen 2-cent stamps	34 26
One hundred 3-cent stamps.....	3 00
	————\$40 00

## E. D. HARTMAN—

Three quires Congress letter.....	\$1 20
One quire legal cap.....	55
One quire foolscap.....	45
Four packages buff envelopes.....	60
Two pencils.....	15
One bottle mucilage.....	25
One package legal envelopes.....	30
One quire note.....	25
Two packages white envelopes.....	35
Five hundred 2-cent stamps.....	10 00
Six hundred 3-cent stamps.....	18 00
Stationery.....	8 90
	————\$40 00

## J. H. LONG—

One ream Congress letter.....	\$8 00
Two packages buff envelopes.....	35
Five dozen steel pens.....	65
One quire note .....	25
Three packages white envelopes.....	54
Six pencils.....	40
Four penholders.....	5
Seven hundred and ninety-two 3-cent stamps.	23 76
Three hundred 2-cent stamps.....	6 00
	————\$40 00

## N. O. ROSS—

Two quires legal cap.....	\$1 10
Twelve quires note.....	2 50
Eleven quires Congress letter.....	4 40
Six hundred 3-cent stamps.....	18 00
One hundred 2-cent stamps.....	2 00
Stationery .....	12 00
	————\$40 00

## H. C. NEWCOMB—

One-fourth ream note.....	\$1 15
One box white envelopes.....	1 75
One pint ink.....	50
One hundred 2-cent stamps.....	2 00
Seven hundred 3-cent stamps.....	21 00
Stationery .....	12 60
	————\$40 00

## J. A. FUNK—

One ream note.....	\$4 00
Two quires foolscap.....	90
Four quires Congress letter.....	1 60
One package legal envelopes.....	25
Four packages buff envelopes.....	70
Four packages white envelopes.....	70
One dozen pencils.....	1 00
Eight hundred and fifty 3-cent stamps.....	25 50
Two hundred 2-cent stamps.....	4 00
	————\$40 00

## WM. A. WOODS—

Six quires legal cap .....	\$3 30
Four quires note .....	1 00
Two packages legal envelopes .....	60
Four packages buff envelopes .....	60
Four penholders . . . . .	5
Two boxes pens .....	50
One sheet blotting pad .....	10
Two hundred 2-cent stamps .....	4 00
One hundred 3-cent stamps .....	3 00
Stationery .....	15 67
	<hr/> \$40 00

## D. G. VAWTER—

One-fourth ream note .....	\$1 00
One package buff envelopes . . . . .	15
One package white envelopes .....	18
Twelve hundred and eighty-four 3-cent stamps .....	38 52
	<hr/> \$40 00

## J. R. BOBO—

Twelve quires Congress letter paper, half a ream legal cap, one ream note paper, two packages buff envelopes, five packages legal envelopes, five penholders, one gross pens, one hundred 2-cent stamps, six hundred and seventy 3-cent stamps.....\$40 00

## S. J. BARRITT—

One quire legal cap paper, one quire Congress letter, twenty-one quires note paper, one box pens, two packages buff envelopes, two packages white envelopes, two hundred 2-cent stamps, one thousand and thirty 3-cent stamps.....\$40 00

## ALFRED WILLIAMS—

One quire legal cap paper, two and a half quires Congress letter, twelve and a half quires note paper, two packages legal envelopes, eight packages white envelopes, four packages buff envelopes, two hundred 2-cent stamps, nine hundred and three 3-cent stamps.....\$40 00

## A. E. GORDON—

One-half ream legal cap paper, two quires Congress letter, one quire note, one package legal envelopes, one package buff envelopes, three pencils, one hundred 2-cent stamps, three hundred 3-cent stamps, stationery \$23.30.....\$40 00

## S. L. McFADIN—

Two quires legal cap paper, one quire foolscap paper, three quires note, stationery \$5.00, eight hundred and sixty two 2-cent stamps, five hundred 3-cent stamps.....\$40 00

## JOHN HUNGATE—

One quire Congress letter, two packages buff envelopes, one dozen pencils, two pen holders, one dozen pens, one hundred 2-cent stamps, one thousand two hundred and six 3-cent stamps, one-half pack legal envelopes.....\$40 00

## J. V. MORRISON—

One ream legal cap, one ream foolscap, one-fourth ream note, four packages white envelopes, four packages buff envelopes, two pencils, one box pens, two hundred 3-cent stamps, thirty-three 3-cent stamps, stationery \$10.30.....\$40 00

## EDWARD H. GREENE—

One package buff envelopes, one-half quire legal cap paper, one and a half quires foolscap paper, one quire Congress letter, one pack white envelopes, two pencils, one sheet blotting pad, one bottle ink, two penholders, two pens, one thousand six hundred and sixty-six 2-cent stamps, one hundred and fifty 3-cent stamps.....\$40 00

## W. A. MOORE—

One quire legal cap, one quire Congress letter, two pencils, one box pens, one package buff envelopes, three hundred 2-cent stamps, three hundred 3-cent stamps, stationery \$23.45.....\$40 00

## WAUSEN TEBBS, JR.—

Two packages buff envelopes, four packages white envelopes, one pencil, three pen holders, ten pens, three quires note paper, one pack legal envelopes, two quires Congress letter, one sheet blotting pad, one thousand three hundred and eighty-eight 2-cent stamps, three hundred 3-cent stamps.....\$40 00

## L. M. CAMPBELL—

Three quires legal cap, three quires Congress letter, one quire note, one pack buff envelopes, one hundred 2-cent stamps, one hundred 3-cent stamps, stationery \$31.75.....\$40 00

## WILLIAM B. CARTER—

One-fourth ream legal cap, one-half ream foolscap, one-half ream Congress, one ream note, one hundred and sixteen 2-cent stamps, three hundred and ninety-nine 3-cent stamps, one pack legal envelopes, one pack buff envelopes, one pack white envelopes, one box pens, stationery \$9.25.....\$40 00

## C. R. COREY—

Twenty-one quires legal cap paper, one quire foolscap, forty-six quires Congress letter, one lead pencil, one pen holder, one box pens, one sheet blotting pad, one ream note paper, one pack white envelopes, one bottle mucilage, one hundred and eighty-three 2-cent stamps, fifty 3-cent stamps.....\$40 00

## J. F. BIRD—

One-half ream foolscap, one ream note, one half ream legal cap, two packages buff envelopes, one dozen pencils, one hundred and seventy-five 2-cent stamps, three hundred twenty-nine 3-cent stamps.....\$40 00

## THOMAS MASON—

Three packages buff envelopes, one pack white envelopes, two boxes pens, six quires foolscap, one quire note, stationery \$6.00, six hundred 2-cent stamps, six hundred 3-cent stamps.....\$40 00

## JOHN H. WHITE—

One-half ream foolscap, one-half ream Congress letter, one pack legal envelopes, one pack buff envelopes, one pack white envelopes, five pencils, fifty-two 2-cent stamps, nine hundred and eighty-five 3-cent stamps.....\$40 00

## B. B. EDMONSON—

One pack buff envelopes, one pen holder, one thousand and one hundred 3-cent stamps, three hundred and forty-two 2-cent stamps.....\$40 00

## D. W. CHAMBERS—

Two packs white envelopes, one-half quire legal cap, four inkstands, one paper weight, seventy-five rubber bands, one paper clip, one box buff envelopes, one dozen rubber bands, one hundred and eighty 2-cent stamps, four hundred and eight 3-cent stamps.....\$40 00

## S. R. ERVIN—

One quire legal cap, one package legal envelopes, one package white envelopes, one pencil, one quire note paper, stationery \$10.00, one hundred 2-cent stamps, eight hundred 3-cent stamps, stationery \$2.67.....\$40 00

## JESSE SHIELDS—

One package buff envelopes, one package white envelopes, one package legal cap paper, two pencils, one bottle ink, one inkstand, one box pens, three hundred 2-cent stamps, five hundred 3-cent stamps, one bottle mucilage, one blotting pad.....\$25 00

## W. BLANCH—

One quire legal cap paper, one quire Congress letter, one package buff envelopes, one package white envelopes, one bottle ink, three hundred 3-cent stamps, stationery \$10.00.....\$24 28

## M. F. DUNN—

Two quires Congress letter, one package buff envelopes, one hundred 2-cent stamps, one hundred 3-cent stamps, stationery \$8.00.....\$13 95



## W. C. HUDSON—

Eleven quires note paper, two packages buff envelopes, one-half ream Congress letter, one package legal envelopes, six pencils, one box pens, one-half ream legal cap, stationery \$18.40, two hundred 2-cent stamps, one hundred and seventy 3-cent stamps....\$40 00

## E. P. McCLASKY—

Two quires legal cap, one quire foolscap, two quires Congress letter, two quires note paper, one package legal envelopes, two packages buff envelopes, two packages white envelopes, four pencils, one penholder, twelve pens, one blotting pad, two hundred 2-cent stamps, three hundred and fifty 3-cent stamps, stationery \$21.24.....\$40 00

## W. C. DANALDSON—

One quire legal cap paper, eleven quires Congress letter, twenty-two quires note paper, seven packages buff envelopes, ten packages white envelopes, one pencil, two penholders, one box pens, one-fourth sheet blotting pad, one package legal envelopes, two hundred 2-cent stamps, one hundred and fifty 3-cent stamps, stationery \$20.72.....\$29 10

## ADDISON DAGGY—

Eight quires legal cap, ten quires Congress letter, one sheet blotting pad, one bottle mucilage, one penholder, six pens, one dozen pencils, two boxes buff envelopes, two boxes white envelopes, one hundred and fifty 2-cent stamps, four hundred and sixty 3-cent stamps, stationery \$5.00.....\$40 00

## J. F. McCARTHY—

One-half ream Congress letter, one half ream note paper, four packages legal envelopes, eight packages buff envelopes, five hundred and fifty 3-cent stamps, fifty 2-cent stamps, stationery \$24.24.....\$40 00

## JNO. ROSSER—

One-half ream Congress letter, two packages buff envelopes, two packages white envelopes, six penholders, two boxes pens, one-half ream note paper, one dozen pencils, two hundred 2-cent stamps, four hundred 3-cent stamps, stationery \$16.05.....\$40 00

## E. BISCHOF—

One-half ream Congress letter, two quires note paper, four packages buff envelopes, four packages legal envelopes, six pencils, six penholders, one box pens, five quires legal cap, four hundred and fifty 2-cent stamps, three hundred and thirty-three 3-cent stamps, stationery \$10.00.....\$40 00

## D. S. VAN VALKENBURGH—

Two quires legal cap paper, one quire Congress letter, two packages buff envelopes, one-half dozen pencils, one dozen pens, two quires note paper, one package white envelopes, one half dozen penholders, eight hundred 3-cent stamps, one hundred and fifty 2-cent stamps.....\$30 08

## JAMES NORTH—

Two quires legal cap paper, one quire Congress letter, seven quires note paper, one dozen pens, three packages white envelopes, one package buff envelopes, fourteen pencils, two penholders, one inkstand, one hundred and thirty 3-cent stamps, one hundred 2-cent stamps.....\$11 83

## J. L. MILLER—

Eleven quires legal cap paper, one-half ream note paper, one half ream Congress letter, one package legal envelopes, one package buff envelopes, five pencils, one bottle ink, one dozen pencils, stationery \$12.22, three hundred and fifty 2-cent stamps, three hundred and fifty 3-cent stamps.....\$40 00

## HEZ. SHOOK—

One-half ream legal cap, four packages buff envelopes, ten penholders, one box pens, one bottle ink, one bottle mucilage, one hundred 2-cent stamps, one hundred and thirty-three 3-cent stamps.....\$12 85

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Total amount drawn by individual members.      \$3,867 09

## CYRUS T. NIXON, Principal Clerk—

Fourty-one and one-half quires legal cap...\$20 85  
 One hundred and twenty-two quires Congress  
   letter..... 48 80  
 One-half ream note..... 2 00  
 Thirty-two packages legal envelopes..... 9 60  
 Seventeen packages buff envelopes..... 2 75  
 Twenty-one packages white envelopes..... 3 78  
 Seven bolts ribbon..... 5 60  
 Twelve sheets blotting pad..... 1 20  
 Four and one-half gross pens..... 5 25  
 Eight inkstands..... 6 40  
 Six quarts ink..... 6 00  
 One bottle mucilage..... 60  
 Five dozen pencils..... 4 00  
 Six ink erasers..... 4 50  
 Sixteen dozen penholders..... 1 65  
 Three rulers..... 1 25  
 One paper folder..... 60  
 Three and one-half gross paper fasteners....  
 Nine rubber erasers..... 1 80  
 Three bottles carmine ink..... 1 80  
 One blank book..... 2 00  
 One gross rubber bands..... 3 50

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Total drawn by Clerk for use of House...\$136 43

## INDIVIDUAL ACCOUNT.

Two hundred and twenty 3-cent stamps.... \$6 60  
 Twenty 2-cent stamps..... 40

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\$7 00

## P. A. B. KENNEDY, Assistant Clerk—

Eighteen and three-fourths reams Congress letter paper.....	\$150 00
One box pens.....	25
Three dozen penholders.....	85
Eighteen packages legal envelopes.....	5 40
Three rulers.....	3 75
One-fourth ream legal cap.....	2 50
Three and a half reams note.....	14 25
Ten bolts ribbon.....	8 00
One pair shears.....	
Seven paper weights.....	7 00
Three quarts ink.....	3 00
Six sheets blotting pad.....	60
Twenty-five boxes pens.....	6 25
Two bottles mucilage.....	1 20
Two dozen rubber bands.....	60
One gross paper fastenings .....	3 24
Seven inkstands.....	5 50
Two rubber erasers.....	40
Total .....	<u>\$212 79</u>

## INDIVIDUAL ACCOUNT.

Three hundred 3-cents stamps .....	9 00
	<u>\$10 00</u>
Fifty 2-cents stamps.....	1 00
COBB, Speaker's Clerk—	
One-half ream legal cap.....	\$5 00
One inkstand.....	90
One-half ream Congress letter.....	4 00
Six pencils.....	40
One box pens.....	25
One eraser.....	65
One ruler.....	1 00
	<u>\$11 85</u>

## JOHN T. BROWN—

Three hundred 3-cent stamps .....	\$9 00
Fifty 2-cent stamps ..	1 00
	<u>\$10 00</u>

## JOHN CAMPBELL, Door-keeper—

Three and a half reams folding paper. ....	
Three bottles mucilage .. .. .	75
Two and a half boxes pens. .... .	65
One sprinkler. . . . .	
Three inkstands . . . . .	1 50
One basin. .... .	
One brush. .... .	
Seven pounds gum arabic. .... .	
One pound alum . . . . .	15
Three and a half quires legal cap. .... .	1 85
Ten packages buff envelopes. .... .	1 25
One and three-fourths dozen pencils. .... .	1 35
Two sheets blotting pad . . . . .	20
Two quires foolscap. .... .	90
Two quires Congress letter. .... .	80
Three quires note paper. .... .	75
Five packages legal envelopes. .... .	1 50
One-half dozen penholders. .... .	5
One bottle ink. .... .	10
Six brooms. .... .	
Thirty-one cakes soap. .... .	1 95
Two bunches gum bands. .... .	50
Wash bowl. .... .	
One ream wrapping paper. .... .	
One box matches. .... .	
Two packages white envelopes. .... .	35
One basket for Assistant Door-keeper. ....	

## D. W. KURTZ—

Three hundred 3-cent stamps. .... .	\$9 00
Fifty 2-cent stamps . . . . .	1 00
	<hr/> \$10 00

## COMMITTEE ON ORGANIZATION OF COURTS.

Eleven quires legal cap. .... .	\$5 55
One-half ream Congress. .... .	4 00
	<hr/> \$9 55

## COMMITTEE ON WAYS AND MEANS.

Four quires legal cap.....	\$2 20
One box pens.....	25
One pint ink.....	50
Four quires foolscap.....	1 80
Four quires Congress.....	1 60
One-half dozen penholders.....	5
One-half dozen pens.....	10
One bottle mucilage.....	25
Two inkstands.....	1 80
One blank book.....	1 50
	<hr/>
	\$10 00

## COMMITTEE ON CLAIMS.

Four quires legal cap.....	\$2 20
Four quires Congress letter.....	1 60
One pack legal envelopes.....	25
One dozen pencils.....	75
One dozen penholders.....	10
One box pens.....	25
One bottle red ink.....	50
One bottle mucilage.....	25
One blank book.....	1 80
One inkstand.....	90
	<hr/>
	\$8 60

## COMMITTEE ON FEES AND SALARIES.

Four quires legal cap.....	\$2 20
Four quires foolscap.....	1 80
Three quires Congress letter.....	1 20
Four quires note.....	1 00
Seven package legal envelopes.....	2 10
One dozen pencils.....	75
One box pens.....	25
One bottle mucilage.....	25
	<hr/>
	\$9 55

## COMMITTEE ON THE JUDICIARY.

Fourteen quires legal cap paper.....	\$7 20
Seventeen quires Congress letter.....	6 80
Six packages buff envelopes.....	90
Six pen holders.....	5
One box pens.....	25
One bottle mucilage.....	25
Lead paper fasteners.....	23
One punch and hammer.....	50
One dozen pencils.....	75
Four packages legal envelopes.....	1 20
Three packages white envelopes.....	54
One quart ink.....	1 00
One sheet blotting pad.....	10
	<hr/>
	\$19 82

## COMMITTEE ON ENGROSSED BILLS.

One-half ream legal cap.....	\$5 00
One-fourth ream foolscap.....	2 00
One-fourth ream note.....	1 15
Two packages legal envelopes.....	60
Seven pencils.....	45
Five penholders.....	5
Box pens.....	25
Bottle red ink.....	60
	<hr/>
	\$10 00

## COMMITTEE ON RIGHTS AND PRIVILEGES.

One-half ream legal cap.....	\$5 00
One-half ream foolscap.....	4 50
	<hr/>
	\$9 50

## COMMITTEE ON EDUCATION.

One-half ream legal cap.....	\$5 00
One-half ream Congress letter.....	4 00
	<hr/>
	\$9 00

## COMMITTEE ON BENEVOLENT INSTITUTIONS.

Three quires legal cap. ....	\$1 65
Three quires foolscap. ....	1 35
Three quires Congress letter. ....	1 20
Six quires note. ....	1 50
Three packages legal envelopes. ....	1 20
Six packages white envelopes. ....	1 08
One dozen pencils. ....	75
One-half dozen penholders. ....	5
One red and blue pencil. ....	20
Stationery. ....	1 12
	<hr/>
	\$9 10

## COMMITTEE ON RAILROADS.

Seven quires legal cap. ....	\$3 85
Five quires Congress letter. ....	2 00
Five quires note. ....	1 25
One pack legal envelopes. ....	25
Seven pencils. ....	45
Two hundred white envelopes. ....	
One blank book. ....	75
	<hr/>
	\$10 00

## COMMITTEE ON PRINTING.

Six quires legal cap. ....	\$3 30
Four quires foolscap. ....	1 80
Three quires note. ....	75
One pack legal envelopes. ....	30
One pack buff envelopes. ....	15
One pack white envelopes. ....	18
Six pencils. ....	50
	<hr/>
	\$6 98

## COMMITTEE ON ELECTIONS.

One-half ream legal cap. ....	\$5 00
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## COMMITTEE ON CORPORATIONS.

One-half ream legal cap.....	\$5 00
Two and a half quires Congress.....	\$1 00
One-half ream note.....	2 00
Six packages buff envelopes.....	95
Two packages white envelopes.....	30
One quire foolscap.....	45
	<hr/>
	\$9 70

## COMMITTEE ON TEMPERANCE.

Eight quires legal cap.....	\$2 75
Three and a half quires note.....	1 00
One quire note.....	30
One package buff envelopes.....	15
One pencil.....	10
Stationery .....	1 10
	<hr/>
	\$4 20

## COMMITTEE ON FEDERAL RELATIONS.

One quire legal cap.....	55
Two quires Congress letter.....	80
	<hr/>
	\$1 35

## COMMITTEE ON MILITARY AFFAIRS.

One-half ream Congress letter.....	\$4 00
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## COMMITTEE ON PRISON NORTH.

One ream Congress letter.....	\$8 00
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## COMMITTEE ON SINKING FUND

One-half ream legal cap.. .....	\$5 00
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## RECAPILUTATION.

By individual members.....	\$3,867 09
By Principal Clerk.....	136 43
By Principal Clerk, stamps.....	7 00
By Assistant Clerk.....	212 79
By Assistant Clerk, stamps.....	10 00
By Speaker's Clerk.....	11 85
By John T. Burns.....	10 00
By D. W. Kuntz.....	10 00
By Committees.....	149 35
Total.....	<hr/> \$4,414 51

*Supplement to the Report of the State Librarian to the House of Representatives.*

The following accounts of members and Clerks have been taken out since my report rendered on Saturday.

B. F. FOSTER,  
*State Librarian.*

March 11, 1867.

D. S. VAN VALKENBURGH—

March 11—One-half ream legal cap.....	\$5 00
One hundred and sixty-two 3-cent stamps	4 86
	<hr/> \$9 86

W. BLANCH—

March 11—Five hundred and three 3-cent stamps...	\$15 09
One quire Congress letter.....	40
One package buff envelopes.....	18
	<hr/> \$15 67

CYRUS T. NIXON, Clerk—

March 11—One-half ream note paper.....	\$2 00
Five dozen gum bands.....	1 25
One-half ream Congress letter.....	4 00
One dozen pencils.....	1 00
One hundred and ten 3-cent stamps.....	3 00
	<hr/> \$11 25

P. A. B. KENNEDY, Assistant Clerk—

March 11—Two reams Congress letter.....	\$16 00
One dozen pencils.....	1 00
	<hr/>
	\$17 00

COMMITTEE ON COUNTY AND TOWNSHIP BUSINESS.

One-half ream foolscap.....	\$4 50
One-half ream Congress letter.....	4 00
Six pen holders.....	5
Three and a half quires Congress letter.....	1 40
	<hr/>
	\$9 95

COMMITTEE ON MANUFACTURE AND COMMERCE.

Two reams note paper.....	\$8 00
One box white envelopes.....	1 75
One box steel pens.....	25
	<hr/>
	\$10 00

COMMITTEE ON AGRICULTURE.

One-half ream Congress letter.....	\$4 00
One ream note paper.....	4 00
Five packages buff envelopes.....	90
Six packages white envelopes.....	1 08
	<hr/>
	\$9 98

COMMITTEE ON MILEAGE AND ACCOUNTS.

One ream legal cap paper.....	\$10 00
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SELECT COMMITTEE ON APPORTIONMENT.

One-half ream legal cap.....	\$5 00
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COMMITTEE ON EDUCATION.

One-half ream note paper.....	\$1 00
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COMMITTEE ON ROADS.

One and three-fourth reams note paper.....	\$7 00
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## COMMITTEE ON STATE PRISON.

Stationery .....\$10 00

## COMMITTEE ON PUBLIC EXPENDITURES.

Stationery ..... \$5 75

Total account in supplementary report.....\$117 46

Message from the Senate by Mr. Wilson, their Secretary:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that the following resolution has been passed by the Senate:

*Resolved*, That the House of Representatives be informed that the Senate has completed the business before it, and is now ready to adjourn *sine die*.

Mr. Miller, from the Committee to wait on the Governor, made the following report:

MR. SPEAKER:

The Joint Committee to wait on the Governor, to ascertain if he had any further communication to make to this General Assembly, have waited upon His Excellency, and he informs said committee that he has no further communication to make to this General Assembly.

Whereupon the Speaker submitted the following remarks:

*Gentlemen of the House of Representatives:*

The hour for the termination of the present session of the General Assembly has at length arrived. I congratulate the House and the country, that our deliberations have been conducted with far less than the usual amount of partisan conflict, bitterness and disorder. It is also a subject of more earnest congratulation that a far greater than the average amount of business has been transacted. Among the measures of most significant importance, I may mention a registry law, which is a new measure; a legisla-

tive apportionment, which, under our present Constitution, is also a new measure; a Congressional apportionment law, each and all of which subjects, under ordinary circumstances, claim and receive much time, consideration and discussion. These have all been happily accomplished. Our record is a large one; what verdict will be pronounced by the people remains to be heard.

It now only remains for me to return my thanks to the members and officers of the House for the kindness and forbearance extended to me in the discharge of the delicate official duties incident to the responsible office which their partiality assigned me. The relations which have here been sustained are now about to be dissolved that we may resume those of a more endearing character among the loved ones at home. I wish you each and all a safe return and speedy journey to the unmingled pleasures of kindred and home.

I now pronounce this House adjourned *sine die*.

CYRUS T. NIXON,  
*Principal Clerk.*

P. A. B. KENNEDY,  
*Assistant Clerk.*



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Appeared and was sworn.....	4
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Appeared and was sworn.....	5
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Appeared and was sworn.....	4
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Appeared and was sworn.....	5
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Appeared and was sworn.....	4
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Appeared and was sworn.....	4
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Appeared and was sworn.....	5
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Approved and was sworn.....	5
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Appeared and was sworn.....	4
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Appeared and was sworn.....	5
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Appeared and was sworn.....	4
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Appeared and was sworn.....	4
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Appeared and was sworn.....	5
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Appeared and was sworn.....	3
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Appeared and was sworn.....	4
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Appeared and sworn.....	5
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Appeared and was sworn.....	4
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Appeared and was sworn.....	5
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Appeared and was sworn.....	5
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Appeared and was sworn.....	3
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Appeared and was sworn.....	5
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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
1	A bill to apportion Senators and Representatives for the next ——— years.....	13	19, 694					Prather.
2	A bill to amend an act entitled, "An act to incorporate the Preachers' Aid Society," approved February 12, 1841, and to authorize and require said incorporation to divide and pay over, in equal shares, to each Preachers' Aid Society in the several Annual Conferences in Indiana, the funds of said incorporation by the 1st of January, 1868.....	14	83, 162	133	661	667	722	Miller.
3	A bill to fix the time of holding the Courts of Common Pleas in the Eighth Judicial District of the State of Indiana, and repealing former laws on the subject, and declaring when this act shall take effect.....	14	14, 80, 81	82	132	137	183	Thacher.
4	A bill to amend section 20 of an act entitled, "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	15	83	134	1163	135	1216	McFadin.
5	A bill to amend the first and second sections of an act to amend the eighth section of an act entitled "An act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when the same shall take effect, and repealing all laws inconsistent therewith," approved March 11, 1861, approved December 20, 1865.....	15						Williams.
6	A bill for the registry of electors, and prescribing the duties of officers in relation thereto.....	15	366					McCarthy.
7	A bill to authorize the Judges of the Circuit Courts of this State to receive pleas of guilty from persons in prison, and fix the punishment of offenders during the vacation of Court.....	15	359, 422					Baker.
8	A bill to amend the ninety-ninth section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....							
9	A bill to amend section one of an act entitled "An act to provide for the protection of wild game, defining the time when the same may be taken or killed, and declaring the penalties for the violation of this act," approved February 29, 1857.....	16	16, 137, 151, 178	179	855	903, 919, 927	967	Woods.
		16						McFadin.

10	A bill to amend section seven of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855, and repealing all acts in conflict therewith.....	16	189, 442			McFadin.
✓ 11	A bill amending section ten of an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.....	16	156, 178, 250	250	489	Montgomery.
✓ 12	A bill to constitute the Fourteenth Judicial Circuit of Indiana, to fix the time of holding the courts in the said Circuit, and to repeal all laws in conflict therewith.....	17	17, 143, 165, 179, 180, 57, 285, 343, 375, 449, 634	380 636	649 866	Woods. Crain.
✓ 13	A bill to create the Seventeenth Judicial Circuit.....	57				
✓ 14	A bill appointing Commissioners to adjust the claims of citizens of the State of Indiana for damages sustained by reason of the raid of the rebel forces under command of the rebel General John Morgan, in July, 1863, and occasioned by any other or future raids, prescribing some of their powers and duties, providing for the payment of the claims adjusted by said Commissioners, and matters properly connected therewith.....	57	57, 407, 465, 557, 567, 650, 688, 982	983	1008	Prather.
✓ 15	A bill to carry out the provisions of an act entitled "An act to create a State Normal School, and declaring an emergency," approved December 20, 1865, and to appropriate one hundred thousand dollars for the erection and furnishing the State Normal School.....	57	57, 367, 478, 587, 800, 811, 877, 878	879	1045	McLean.
✓ 16	A bill to authorize Prosecuting Attorneys and District Prosecutors to administer oaths and affirmations, and to certify affidavits.....	57	58, 208, 285			Thacher.
✓ 17	A bill in relation to conveyances of land by wives of persons of unsound mind.....	58	58, 188, 245, 246, 284, 307	308	1172	Ferris.
✓ 18	A bill to amend section 15, and to repeal sections 29 and 30, of an act regulating general elections and prescribing the duties of the officers in relation thereto, approved June 7, 1852, and prescribing further duties of the officers of elections.....	58	59, 83, 88	135	1163	Higgins.
✓ 19	A bill to regulate and make uniform the prices charged by railroad companies for transporting goods, merchandise and material to and from stations on railroads in this State.....	59	59, 549, 760, 761, 1010	1011	819, 1195	Woods.
20	A bill entitled "An act to provide by law for draining and ditching low, wet and overflowed lands in the State of Indiana.....	59	59			Shoaff.
✓ 21	A bill to amend the sixteenth section of "An act regulating the fees of officers, and repealing former acts in relation thereto.....	62	62, 443, 636, 655, 803	804		Chambers.
22	A bill districting the State of Indiana for Senatorial and Representative purposes.....	63	63, 323, 694,			Babo.
✓ 23	A bill to enable the owners of wet lands to drain and reclaim them; when the same can be done without affecting the lands of others, and repealing all laws inconsistent therewith.....	63	63, 387, 631, 553, 592			Morrison.
24	A bill to amend the 9th section of an act entitled, "An act providing for the election of Clerks of the Circuit Courts, and their duties," approved June 7, 1852, to require the Clerk to deliver over all the books, papers, records and moneys in his hands to his successor.....	63	63, 189, 246, 284	306		Stafford.
25	A bill to provide for the registration of voters.....	65	65, 83, 364, 419, 936			Miller.
26	A bill to repeal an act entitled an act to enforce the 13th article of the Constitution, approved June 18th, 1862.....	74	75, 154, 192, 231, 290, 343, 375, 454			Higgins.
27	A bill to authorize incorporated towns to prepare, execute and sell bonds, to provide means to erect and complete unfinished school buildings, and to pay debts contracted for the erection of such school buildings, and to au-					

# BILLS OF THE HOUSE—Continued.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
28	thorize the levy and collection of an additional special school tax, to pay the interest and principal of such bonds.	75	75, 373, 479, 590, 591					Shuey.
29	A bill to divide the State into Congressional Districts, and to repeal all laws in conflict therewith.	75	75					Peelle.
30	A bill for the relief of Walter G. Prather, of Bartholomew county, Indiana.	76	76					Barritt.
31	A bill to amend an act entitled "An act regulating general Elections, and prescribing the duties of officers in relation thereto."	76	76					Sabin.
32	A bill dividing the State of Indiana into districts for Congressional representation.	76	76					Baker.
33	A bill to divide the State into Congressional districts.	76	76, 136					Prather.
34	A bill to divide the State into Congressional districts, and to fix the time when elections for Congressmen shall be held therein.	76	76, 561					Stewart.
35	A bill to amend an act entitled an act to amend the fourth section of an act entitled "An act to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, approved February 26, 1857, which latter act was approved March 9, 1861."	77	77, 432					McFadin.
36	A bill to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage.	77	77, 356					Woods.
37	A bill amending sections 1, 3, 4, 5, 8, 11 and 17, and repealing section 18, of an act entitled "An act to allow County Commissioners to organize turn-pike companies when three-fifths of the persons representing the real estate within the prescribed limits petition for the same, and to levy a tax for its construction, and to provide for the same to be free," approved March 6, 1865.	77	77, 413					Montgomery.
38	A bill declaring bribery, felony, and to compel attendance and testimony of witnesses thereto.	78	78, 881					White.
39	A bill to amend the first section of an act entitled "An act to change the time of holding the Circuit Courts in the Tenth Judicial Circuit, and to extend the length of the terms of said court in Allen county, and providing additional compensation to the Judges thereof," which became a law, under the Constitution, March 7, 1857.	78	78, 141					Hartman.
	A bill to legalize and declare valid and effectual all the orders, judgments, and other proceedings, made, rendered, and had by and before the Common Pleas Court of Clinton county, in this State, held in the court house of							



✓40	salid county, in the months of October and November, in the year one thousand eight hundred and sixty-five, and then and there, by and before the several judges of the said court.....	79	79, 225, 249, 284	313	1166	1218	Morrison.
✓41	A bill to amend an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	79	79, 223, 249, 284	305		1215	Campbell.
✓42	A bill to provide for and regulate the issuing and granting of licenses to locomotive engineers within the State of Indiana, and prescribing penalties for the violations of the provisions thereof.....	79	79, 93, 368, 479, 672, 779, 977, 978				Hughes.
✓43	A bill to prevent the breaking of a quorum in the State Legislature, and prescribing punishment therefor.....	82	82, 86, 87, 88, 89, 90, 98	99	405	423	Miller.
✓44	A bill to provide for a register of voters; to define the residence of a voter, and to punish fraudulent practices touching elections.....	83	83, 366, 394				Hamilton.
✓45	A bill supplemental to an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1852.....	83	83, 408, 739				Woods.
✓46	A bill to enable town trustees to lay out, survey, and open new streets and alleys, and straighten, widen and otherwise alter those already laid out, and to remove obstructions therefrom.....	84	84				Wright.
✓47	A bill for the relief of Alfred Williams, Treasurer of Brown county, in the State of Indiana.....	85	85, 474, 770				Hughes.
✓48	A bill authorizing and directing the Librarian to draw upon the Treasurer of State, three thousand dollars for the purchase of Post Office stamps for the use of the members of both Houses of this General Assembly.....	97	97, 137				Higgins.
✓49	A bill in relation to the change in public highways.....	107	107, 287, 344, 375	492	1184	1218	
✓50	A bill creating the Fourteenth Judicial Circuit, and fixing the time of holding courts therein.....	108	108, 108, 247, 294	381	467	481	Chambers.
✓51	A bill defining what counties shall constitute the Thirteenth Judicial Circuit, and fixing the time of holding Courts therein.....	108	108, 168, 247, 446, 528, 756				Chambers.
✓52	A bill to amend sections three and fourteen of an act entitled "An act to allow County Commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits, petition for the same, and to levy a tax for its construction, and provide for the same," approved March 6, 1855.....	108	108, 413				Thrasher.
✓53	A bill to fix the time of holding the Court of Common Pleas in the county of Grant, and repealing all laws in conflict therewith.....	108	108, 168, 250, 284, 761	311	761	835	Ratliff.
✓54	A bill concerning the organization and perpetuity of voluntary associations, and repealing an act entitled "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devices by will to be made to any corporation or purpose contemplated by this act.....	109	109, 470, 528	528	637	671	McLean.
✓55	A bill regulating the interest on money, and repealing an act entitled "An act regulating interest on money, and to repeal an act entitled an act concerning interest on money, approved May 27, 1852," and the fifty-first section of the act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1852, and all other laws and parts of laws in con-						

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓56	<p>           flict with this act, approved March 7, 1861, and an act to amend the fifth and sixth sections of the aforesaid act, approved December 19, 1865; and also all other laws, or parts of laws, conflicting with this bill.....            A bill to establish an Agricultural College, wherein shall be taught such branches of learning as are related to agriculture, including the mechanic arts and military tactics; also such other branches of science and literature as the General Assembly, or the Trustee, shall direct, and to provide a Board of Trustees for its management.....            A bill to suspend until the 20th day February, A. D. 1867, the 7th section of an act approved December 21, 1865, entitled "an act to provide a State Debt Sinking Fund for the payment of the principal and interest of the five and two and one-half per cent. Stocks of the State therein named, and giving priority of payment to the holders of the two and one-half per cent. Stocks of the State of Indiana, prescribing the duties of the Auditor, Treasurer and Agent of State in relation thereto, providing for a Clerk of said State Debt Sinking Fund, and fixing his salary, and providing a penalty for the violation of its provisions; abolishing the Board of Sinking Fund Commissioners, and all offices connected therewith, and the office of Agent of State in the City of New York; to invest money belonging to the Sinking Fund in the Stocks of the State, transferring the business of said Board of Sinking Fund Commissioners to the Auditor and Treasurer of State, providing that the tax therein levied shall be taken and considered a part of the tax under an act entitled "an act to raise revenue for State purposes for the year one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six," approved March 2, 1865, and declaring an emergency for the immediate taking effect of this bill.....            A bill entitled "A bill to provide for the election of Township officers.".....            A bill to amend sections two and twenty-three of an act entitled "An act for the incorporation of insurance companies, defining their powers and prescribing their duties," approved June 17, 1852.....            A bill to appropriate two hundred dollars from the Township Library Fund, to defray the expenses of the distribution of the fourteenth report of the Superintendent of Public Instruction.....            A bill to re-district the State for the Courts of Common Pleas, and fixing the times of holding, and regulating the practice therein, fixing the salaries         </p>	110	110, 358					Brucker.
✓57		117	117, 118, 124					Hughes.
✓58		124	124	[1072]				Newcomb.
✓59		124	124, 152, 191, 323, 536,	971				Miller.
✓60		124	124, 224, 249, 529, 921					Belford.
61		125	125, 163					Com. on Education.



✓ 62	of Common Pleas Judges, and repealing all laws in conflict with the provisions of said act.....	125	125				Litton.
✓ 63	A bill to regulate the practice of dentistry in the State of Indiana.....	126	228				Crane.
✓ 64	A bill to amend section 11 of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852.....	136	304, 345, 375	492	1166	1218	Dunn.
✓ 65	A bill repealing an act entitled an act to amend section 35 of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved December 20, 1855.....	138	576				Hartman.
✓ 66	A bill to provide for the protection of fur bearing animals, otter, mink, raccoon and muskrat, and defining the time in which the same may be taken or killed and declaring the penalty for the violation of this act and declaring an emergency.....	139	131, 245, 284, 306				Shields.
✓ 67	A bill to amend sections nine and nineteen of "an act defining felonies, and prescribing punishment therefor," approved June 10, 1852.....	139	229				Montgomery.
✓ 68	A bill authorizing the Judges of the Circuit and Common Pleas Courts to fill vacancies in the office of Clerk of said Courts, and repealing all acts in conflict therewith.....	139	227				Peelle.
✓ 69	A bill to amend section three of an act, entitled "An act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free.....	140	142, 413				Stewart.
70	A bill to repeal an act, entitled, "An act to allow County Commissioners to organize turnpike companies, where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free.....	140	393				Daggy.
✓ 71	A bill to amend the 19th section of an act, entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in courts of this State," approved June 17, 1852, relative to filing informations in criminal cases.....	141	542				Thacher.
✓ 72	A bill to amend an act entitled "An act to authorize the removal of convicts from the Southern State Prison to the Northern State Prison, and providing for the employment of convicts in each of said prisons; directing what counties shall send their convicts to the Northern State Prison, and providing for carrying on the work in building said Northern Prison, and making appropriations for the support of said prison," approved June 1, 1861.....	141	324, 347, 530, 759				Hamilton.
✓ 73	A bill to amend sections three, four, five and six, of an act, entitled "An act to regulate and license the sale of spirituous, vinous and other liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation of this act, and repealing all laws in conflict with this act,".....	143	170, 247, 284, 308	309	1166	1250	Higgins.
		143	953				Shury.

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
74	A bill to suppress tippling houses; to regulate the sale and barter of spirituous and certain malt liquors; to provide penalties for the violation of the act, and to repeal all laws inconsistent therewith.....	143	144, 953, 1075					Spencer. Skidmore.
75	A bill districting the State for Senatorial purposes.....	144	144					
76	A bill to amend section 153 of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisors of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	144	144, 919, 989					Shoaff.
77	A bill to increase the salary of the Prosecuting Attorney of the 16th Judicial Circuit, and providing for the payment of the same.....	144	144, 159, 170, 334, 420, 447, 500	503	855	903, 919, 927	907	Hamilton.
78	A bill to provide for the closing up of the business of mutual insurance companies.....	144	144, 693					Woods.
79	A bill to apportion the State of Indiana for Congressional purposes, and defining boundaries of districts.....	145	145, 741					Stafford.
80	A bill to repeal an act approved March 6, 1855, entitled "An act authorizing Supervisors of roads to remove fences standing near public highways, streams and water courses, and to turn public roads and highways on water courses to the rear of buildings, where such buildings stand too near the stream to give room for said roads or highways, and assess damages for losses occasioned thereby.".....	145	145, 280, 341, 375, 493, 550, 791					McFadin.
81	A bill regulating the employment of persons under sixteen years of age, in cotton and woolen factories in this State.....	145	145, 321, 346, 617, 799, 802	803	1166		1220	Brucker.
82	A bill to amend sections nineteen, thirty-two and thirty-three, of an act entitled "An act regulating general elections, and prescribing the duties of officers in relation thereto," approved June 7, 1852.....	145	145					Shoek.
83	A bill to provide for the protection of wild game, defining the time in which the same may be taken or killed, and declaring the penalty for the violation of this act, repealing all laws inconsistent herewith and declaring an emergency.".....	146	146, 154, 249, 310, 347, 390	391	1166		1217	McFadin.
84	A bill to amend the fifth section of an act entitled "An act to provide for the more uniform mode of doing township business; prescribing the duties of certain officers in connection therewith," approved February 18, 1859.....	148	148, 171, 248, 284, 311					Skidmore.

✓ 85	A bill to apportion the State of Indiana into one hundred Representation districts.....	149	149, 694				Spencer.
✓ 86	A bill to amend the 4th section of an act entitled "An act touching the relation of guardian and ward," approved June 9, 1852.....	150	150, 228				Evans.
✓ 87	A bill to legalize sales by Deputy Sheriffs of real estate under execution, or by order of the Circuit Court of Common Pleas and to render valid the deeds made by said deputies in pursuance of such sale.....	150	150, 228				Wright.
✓ 88	A bill to amend the seventh section of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto," approved May 13, 1852.....	150	150, 224				Wilson.
✓ 89	A bill to provide for the construction of sewers within incorporated towns, defining the powers and duties of the Boards of Town Trustees in relation thereto, and to repeal all laws in conflict therewith.....	151	151, 191, 246, 489, 622, 621	1184		1217	Bobo.
✓ 90	A bill to repeal an act entitled "An act providing for the redemption of real property, or any in trust, therein sold on execution, or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances," and repealing all laws in conflict therewith.....	151	151				Higgins.
✓ 91	A bill vacating portions of highways located on county lines, in cases therein specified.....	151	151, 287, 344, 375	493	1165	1216	Daggy.
✓ 92	A bill to amend section nineteen of an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," approved June 17, 1852.....	151	151, 230				Evans.
✓ 93	A bill defining misdemeanors.....	152	152, 170, 248, 281	312	1166	1220	Miller.
✓ 94	A bill to apportion Senators and Representatives until otherwise provided.....	152	152, 694				Crane.
✓ 95	A bill to amend section one of an act regulating foreign insurance companies doing business in this State; prescribing the duty of agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act, approved December 21, 1853.....	153	153, 160, 535				Shuey.
✓ 96	A bill authorizing the Board of Trustees of incorporated towns, to establish fire limits, and to prevent the erection of wooden buildings within such limits.....	156	156, 373, 479, 503, 505, 522	522	855	882	Shuey.
✓ 97	A bill to amend the second section of an act entitled "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto," approved February 12, 1855.....	156	156, 337, 420, 458, 500, 529				Gordon.
✓ 98	A bill to amend sections 160 and 163 of an act entitled "An act to provide for a general system of common schools," approved March 6, 1855.....	156	156, 304, 321				Spencer.
✓ 99	A bill to empower the Board of County Commissioners of the several counties of this State to convey cemeteries to cities and incorporated towns.....	157	157, 264, 343, 375	494	865	877, 886, 891, 902, 919, 927	White.
✓ 100	A bill directing the State of Indiana for Senatorial purposes.....	157	157, 694				Crowe.
✓ 101	A bill to amend the act entitled "An act authorizing the construction of plank, macadamized and gravel roads, and to empower the same to make sale of a portion of their roads, approved February 28, 1855.....	157	157, 289, 345, 375	495	1166	1220	Newcomb.
✓ 102	A bill to amend section first of an act entitled "An act to amend section thirty-five of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers						

## BILLS OF THE HOUSE.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
103	therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved December 20, 1865.	157	157, 405					Blrd.
✓104	A bill regulating Insurance Companies doing business in the State of Indiana; prescribing the duties of the agents and officers thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act.	157	157					McLean.
✓105	A bill to amend section thirty-five of "An act repealing all general laws now in force for the incorporation of cities; prescribing their powers, rights and duties, and the manner in which they shall exercise the same and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December 20, 1865.	158	158, 374, 742					Greene.
✓106	A bill defining the crime of conspiracy, and prescribing the punishment therefor; and repealing an act entitled "An act defining what shall constitute certain felonies, and fixing the penalties therefor," approved May 31, 1861.	158	158, 539, 839, 1099	1100				Hamilton.
✓107	A bill to amend section seven of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.	158	158, 190, 246, 363					Ratliff.
✓108	A bill to amend section thirty-one of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852. A bill requiring Clerks of the Circuit Courts and Courts of Common Pleas to make indexes in certain record books of their respective offices, and providing compensation therefor.	159	159, 229, 250, 338, 489	491	1107		127	Van Valkenburg.
109	A bill to amend section thirty-seven of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.	159	159, 224, 355, 552					Watson.
✓110	A bill apportioning the State into Congressional Districts.	161	159					Daggy.
✓111	A bill limiting the liability of inn keepers.	161	161, 190, 247, 470, 482,					Chambers.
✓112	A bill to amend section one hundred and three of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts in this State," approved June 17, 1852.	162	814, 837					Peele.
113	A bill to amend the sixty-eighth section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts in this State."	162	162, 225					White.
		162	162, 229					Belford.

✓114	A bill authorizing the assessment of all the lands within one and one-half miles on either side or within one and one-half miles of the terminus of any plank, macadamized or gravel road, organized under and pursuant to an act of the General Assembly of the State of Indiana, entitled an act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situated within the county where such road is located.....	165	165, 177, 370	Miller.
✓115	A bill for the establishment of reform schools in the State of Indiana.....	166	166, 445	Prather.
✓116	A bill in relation to joint stock insurance companies, organized under the laws of Indiana.....	171	171, 716, 923	Peelle.
✓117	A bill to amend the fifth section of an act entitled "An act regulating estrays and articles adrift," approved June 16, 1852.....	172	172, 229, 249, 328	Griggs.
✓118	A bill prescribing and regulating the fees of Sheriffs, and repealing all former laws in relation thereto.....	173	173	Newcomb.
✓119	A bill to amend section seventy-six of an act entitled "An act to simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State.".....	173	173, 227, 853	White.
✓120	A bill for the protection of the ballot box, and to make illegal voting, a felony.....	173	173, 366	Vawter.
✓121	A bill providing for the incorporation of electric telegraph companies.....	174	174, 510, 759	Bischoff.
✓122	A bill to amend the four hundred and sixty-eighth section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	174	174, 230	Griggs.
✓123	A bill repealing an act entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled an act for the protection of sheep," approved June 15, 1852, approved March 2, 1863.....	174	174, 231	Williams.
✓124	A bill requiring convicts who are sentenced to confinement in the county jail, to be sentenced to hard labor therein.....	474	174, 224	Hamilton.
✓125	A bill for the relief of Daniel A. Bynum, Treasurer of Greene county, in the State of Indiana.....	174	174, 856, 857	Mason.
✓126	A bill to lease the Northern State Prison, and prescribing the terms and conditions in reference thereto.....	191	194, 369, 625, 686, 699, 700, 761	Millor.
✓127	A bill to repeal an act entitled "An act to ascertain the amount of the fees and salaries of the Clerks of the Supreme, Circuit and Common Pleas Courts of this State, of the Sheriff of the Supreme Court and of the various counties in this State, of County Auditors, Treasurers and Recorders, of Circuit and Prosecuting Attorneys, and to provide punishment for a violation of its provisions.".....	195	195, 264	Williams.
128	An act to prevent the sale or running at large of sheep affected with the "foot rot," and the sale or running at large of any animal affected with any contagious disease, and prescribing penalties therefor.....	195	195	Shoaf.



# BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓129	A bill to provide for the improvement of highways, and repealing all laws conflicting therewith.....	195	195, 286, 344, 577, 578					Wilson.
✓130	A bill to amend section twenty eight of an act entitled "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852.....	196	196, 358, 480, 481, 503, 635	635	1167		1220	Peelle.
131	A bill authorizing the Trustees of the Institution for Educating the Deaf and Dumb, to sell certain real estate therein named.....	196	196					Stewart.
✓132	A bill for the protection of fur bearing animals.....	210	210					Wason.
✓133	A bill to amend the thirty-eighth section of an act entitled "An act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9th, 1852.....	210	210, 355, 480, 503, 756	756				Woods.
✓134	A bill to prevent imprisonment, to protect legal voters, and to punish those who, for fee or reward, induce one to vote differently from his sentiments...	210	210, 363					Vawter.
✓135	A bill to amend section eleven of an act entitled "An act to fix the times of holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859.....	210	210, 396					Moore.
✓136	A bill leasing the Northern State Prison, and providing for the appraisement and transfer of the property belonging to the State, in and about said prison, to the lessees.....	211	211					Peelle.
✓137	A bill authorizing Township Trustees to administer oaths generally, and to take acknowledgments of deeds and mortgages, and declaring an emergency.....	211	211, 923					Bird.
✓138	A bill to repeal an act entitled "An act in relation to County Treasurers," approved March 6, 1865.....	212	212, 333					Shanks.
✓139	A bill to amend section five of an act, entitled, "An act to provide for a more uniform mode of doing township business, prescribing the duties of certain officers connected therewith, and to repeal all laws conflicting with this act," approved February 18, 1859.....	235	235, 263					Prather.
✓140	A bill to amend section two and four of an act entitled, "An act to discourage the keeping of useless and sheep killing dogs, and providing penalties for the violation of any of the provisions of said act, by officers and others, and also repealing an act to license dogs, approved March 11, 1861,							

✓141	and providing that nothing in this act shall be so construed as to conflict with the provisions of an act, entitled, "An act for the protection of sheep," approved June 15, 1852, approved March 2, 1853.....	225	225, 303, 345, 540, 839, 883	882	Donaldson.
✓142	A bill regulating interest on money, and repealing all acts conflicting therewith.....	236	236, 290, 345, 375, 451, 798, 820	831	Wilson.
✓143	A bill authorizing the Board of Directors of street railroad companies to raise funds to discharge the indebtedness of such companies by issue of preferred stock, or pro rata assessment against stockholders, and to make all needful rules for the competency of witnesses, and to repeal section 238 of Article 13 of an act, entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852; and to repeal section 238 of Article 13 of the act, entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	236	236, 392, 584, 672, 683, 701	833	Newcomb.
✓144	A bill to amend the fifth clause of Section twenty-two of an act, entitled, "An act to prevent the spread of disease among sheep....."	236	236, 423, 679, 846	1216	Woods.
✓145	A bill to amend the first clause of Section twenty-two of an act, entitled, "An act for the incorporation of towns, defining their powers, providing for the election* of officers thereof, and declaring their duties," approved June 11, 1852.....	237	237, 266, 345, 375	454	Wason.
✓146	A bill to provide by law for the construction or stopping points or stations, and the construction of side tracks on railroads, and prescribing penalties on railroad companies for the violation thereof.....	237	237, 361, 480	503	Griggs.
✓147	A bill to amend sections 10, 13, 14, 15, 16, 17 and 18, of an act, entitled, "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1853.....	238	238, 818, 1076	1219	Honnens.
✓148	A bill to amend the first section of an act, entitled "An act for the protection of sidewalks in towns and villages, and for the preservation of shade trees planted along the same," approved March 3, 1853.....	238	238, 1197	1139	Shook.
✓149	A bill to provide for taxing income arising on bond and other securities of the United States.....	238	238, 264, 343, 375	1115	Thomas.
✓150	An act to amend section one of an act to revise simplify and abridge the rules, practice, pleadings and forms in Civil Courts in this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, and which reads: "The execution shall be returnable within one hundred and eighty days from its date....."	239	239, 323, 1075		Baker.
✓151	A bill to amend the thirteenth section of an act, entitled "An act providing for the qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.....	239	239, 360		Balford.
✓152	A bill to amend the fourth section and repeal the 5th section of an act, entitled "An act to discourage the keeping of useless and sheep killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1851; and providing that nothing in this act shall be so	240	240, 397, 455, 529, 759		Sabin.

# BILLS OF THE HOUSE—Continued.

1310

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓113	construed as to conflict with the provisions of an act entitled "An act for the protection of sheep," approved March 2, 1865.....	240	240, 287, 345, 813, 1003					Wilson.
✓114	A bill to repeal section fifteen of an act, entitled "An act to create a State Normal School, and declaring an emergency," approved December 20, 1865.....	240	240, 335, 636, 639, 771, 1019, 1020					Wolfe.
✓115	A bill to amend section five of an act entitled, "An act to discourage the keeping of useless and sheep killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled, "An act for the protection of sheep," approved June 15, 1852, approved March 2, 1865, and declaring an emergency.....	241	241, 370					Montgomery.
✓116	A bill to amend the second section of an act, entitled "An act to discourage the keeping of useless and sheep killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act for the protection of sheep, approved June 15, 1852, approved March 2, 1865.....	241	242, 371, 962					Shook.
✓117	A bill to prevent certain persons from voting, or holding any office in the State of Indiana.....	242	242, 359, 386, 922					Scammahorn.
✓118	A bill to amend sections one, ten and fourteen of an act, entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed approved March 6, 1865.....	242	242, 574, 919, 1046					Ratliff.
✓119	A bill in relation to the compounding and concealing of crimes, and the compounding of prosecutions, and prescribing penalties therefor.....	255	255, 322, 346, 375	497	1184		1219	Hughes.
	An act to amend sections six hundred and forty-nine and six hundred and fifty of an act, entitled "An act to revise simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administra-							



✓160	tion of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	255	255, 481, 526, 623	623	1184	1218	Gelsendorf.
✓161	A bill leasing the Southern Prison, and providing for the appraisal and transfer of the property belonging to the State in and about said prison, to the lessee.....	256	256, 603				Prather.
✓162	A bill to amend sections 123 and 124 of an act, entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	267	267, 323, 332, 592				Fuller.
✓163	A bill to repeal an act entitled "An act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof," approved May 31, 1852, approved December 21, 1855.....	267	268, 355, 481, 482				McLean.
✓164	A bill authorizing the Board of County Commissioners to establish water courses, and locate ditches in certain cases, and repealing all laws inconsistent therewith.....	268	268, 717				Smith of Lagrange.
✓165	A bill to amend an act entitled an act to regulate the remission of fines and forfeitures, approved June 14, 1852.....	268	268, 375, 881				Stackhouse.
✓166	A bill for the incorporation of the Eclectic Medical Association of the State of Indiana and auxiliary local Eclectic Medical Associations.....	268	268, 1199				Thrasher.
✓167	A bill to amend section twenty-eight of an act entitled an act defining felonies and prescribing punishment thereof, approved June 10, 1852.....	268	268, 538, 617				Daggy.
✓168	A bill to amend the fifth section of an act entitled an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.....	268	269, 336, 343				Stafford.
✓169	An act to amend or to amend an act entitled an act prohibiting Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Sheriffs and their deputies, from practicing law in any of the courts of this State, except as in this act permitted, and prescribing punishment for the violation thereof, approved March 6, 1865.....	269	269, 365, 673				Fuller.
✓170	A bill to establish an Insurance Department, to create the offices necessary to its existence, to define their duties, to define the duties of insurance companies in connection therewith, to create penalties for the non-compliance with the laws, and to repeal laws inconsistent therewith.....	269	269, 602				McLean.
✓171	A bill to provide for the support of private schools and matters properly connected therewith.....	270	270, 433				Montgomery.
✓172	A bill concerning witnesses, providing that no person shall be held incompetent to be a witness by reason of race or color, and repealing an act entitled "An act defining who shall be competent witnesses in any court or judicial proceedings in this State and to repeal all laws and parts of laws in conflict with provisions of this act," approved December 20, 1865.....	270	270, 356				Woods.
✓173	An act concerning the laying out of towns and additions to towns and cities.....	270	270, 742, 927				Scammahorn.

# BILLS OF THE HOUSE—Continued.

1312

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 174	thereof, approved May 6, 1852, and to enable vendees of real property to remove and secure themselves against incumbrances thereon.....	271	271, 911					Woods.
✓ 175	A bill to encourage the republication of Blackford's Reports and appropriating money to pay for the same.....	272	272, 375, 740, 927					Peelle.
✓ 176	A bill to amend an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852.....	272	272, 285, 346					Newcomb.
✓ 177	An act to amend section three of an act entitled an act declaratory of the law regulating marriages, and enforcing the provisions thereof by proper penalties, approved March 5, 1852.....	272	272, 407, 667					Montgomery.
✓ 178	An act to amend the third section of an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matter properly connected therewith, and repealing certain acts therein specified, approved December 2, 1855.....	272	272, 337, 420	500	1153			Stewart.
✓ 179	A bill to amend the thirty-third section of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms, in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a more uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.....	273	273, 404, 717, 978					Watson.
✓ 180	A bill authorizing any person desiring to erect a flouring mill, or other machinery to be propelled by water, on his own land, to erect a dam and make a race-way above such mill or machinery, on and through lands belonging to other persons, and to regulate the assessment and payment of damages therefor, being an act supplemental to article 41, chapter 1, of part 2, of the Revised Statutes of 1852.....	273	273, 409, 673, 979	980	1185		1217	Peelle.
✓ 181	An act to provide for compensation to the owners of animals killed or injured by the rolling stock of any railroad, when such road is not fenced, excepting places not proper to be fenced, repealing all laws in conflict herewith, and declaring an emergency.....	273	273, 852					Hartman.
	A bill to amend an act approved March 11, 1861, being to amend an act entitled "An act authorizing County Agricultural Societies to purchase and hold real estate," approved February 7, 1855, and to authorize such socie-							

182	ties to issue capital stock, and to confirm and ratify all purchases of real estate made by any Agricultural and Mechanical Society under their by-laws, not exceeding eighty acres of land.....	274	274, 288, 346, 375	497	637	649	671	Newcomb.
183	An act to amend the first section of an act entitled "An act to provide for valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	274	274, 442					Kiser.
184	An act prescribing the fees of the Sheriffs of the several counties in this State, and repealing all former acts so far as they relate to the fees of Sheriffs, and especially repealing an act to amend section five of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855, which act is hereby specially repealed, was approved March 3, 1855.....	274	275, 442					Kiser.
185	A bill to regulate the carriage of passengers' baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.....	275	275, 550, 919					Litson.
186	A bill to amend the forty-fifth section of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852.....	275	275, 849, 375, 965	900	954		967	Belford.
187	A bill to amend section seventy-six of the amended act entitled "An act to amend section seventy-six of an act entitled "An act defining misdemeanors, and prescribing punishment therefor," approved February 14, 1855.....	276	277, 365					Williams.
188	A bill authorizing Clerks of the Circuit and Common Pleas Courts to try and determine suits of <i>habeas corpus</i> , issue writs of injunction and temporary restraining orders, and defining additional duties thereof.....	277	277, 357					McLean.
189	A bill to amend sections 22, 70, and 91 of an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State, approved June 21, 1852.....	277	278, 323					Stackhouse.
190	A bill to amend section 690 of article 36 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	295	295, 346, 552, 792	792				Crain.
191	A bill regulating the fees of County surveyors, defining the duties of County Commissioners, and repealing all former laws in conflict therewith.....	301	301, 777					Scammahorn.
192	A bill to amend section 20 of an act entitled "An act to amend an act entitled "an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved December 20, 1865.....	301	301, 692, 923					Foulke.
193	A bill to amend section 5 of an act entitled "An act providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties," approved June 1, 1852; and providing for Criminal and Civil Courts, approved December 20, 1865.....	301	301, 432, 680					Shoaff.
194	A bill to amend section 5 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regu-							

# BILLS OF THE HOUSE—Continued.

1314

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓198	lation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.....	302	302, 650, 922					Wasson.
✓199	A bill to amend section 1 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.....	302	303, 650					Shook.
✓200	An act to create a State Normal School, and declaring an emergency," approved December 20, 1865.....	302	302					Montgomery.
✓201	A bill declaring legal and valid the official acts of Archibald C. Voris, Notary Public in and for the county of Lawrence, and State of Indiana.....	302	302, 540					Dunn.
202	A bill to provide for the protection of wild and harmless birds on or about the premises or inclosures of another, and declaring the penalty for the violation of this act.....	302	302, 408, 677, 779, 980	981				Prather.
✓203	A bill to amend the second section of an act entitled "An act to fix the time of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.....	328	328					Green.
204	A bill to fix the time of holding the Courts of Common Pleas in the Fifth Judicial District, repealing all other laws on the same subject, and declaring when this act shall take effect.....	328	328, 420	421	465	463	466	Shook.
205	A bill to incorporate the Indiana Soapstone Stove Company.....	328	328, 374, 474					McLean.
✓206	A bill to declare and secure the rights of married women in real estate sold under execution.....	329	329					Campbell.
✓207	A bill authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities, to levy a tax for school purposes.....	329	329, 576, 921					Wason.
✓208	A bill to amend section 405 of "an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in Courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleadings and practice without distinction between law and equity," approved June 18, 1852.....	334	334, 422, 607, 804	805	1185		1218	Judiciary Com.
✓209	A bill for the protection of young pigs from foxes and wild cats.....	339	339, 422, 509, 797					
	A bill to authorize Canal Companies which have ceased to be used for purposes of navigation to lease to Hydraulic Companies said Canals, or parts							

✓ 210	thereof, and authorizing Hydraulic Companies to control the same, and requiring them to be kept in repair, and to fulfill leases made by State or county companies.....	339	340, 854		Peelle.
✓ 211	A bill to amend section 12 of an act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.....	341	341, 575, 866, 921, 1047		Moore.
✓ 212	An act to authorize Hydraulic Companies to appropriate lands to their use upon paying the assessed value thereof, and providing for such assessment.....	341	341, 590, 800	812	Shuey.
	A bill to repeal a portion of the forty-first section of an act entitled "an act to repeal all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their rights, powers and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December 20, 1865.....	341	342, 374, 531, 576, 799, 830	972	Wofflin.
✓ 213	A bill to amend sections one and four of an act entitled "An act to provide for a general system of Common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.....	342	342, 576, 921		Wason.
✓ 214	A bill creating, establishing and providing for the management and maintenance for four Colleges of Agriculture and the Mechanic Arts, to be located at Indianapolis, Crawfordsville, Greencastle and Bloomington.....	342	342, 608, 750		Campbell.
✓ 215	A bill to exempt soldiers, and the widows and children of soldiers, who were in the service of the United States, during the late rebellion, and who are, or may be upon the pension rolls of the United States, from poll tax and from property where the amount of taxable property of such soldier's widow or child shall not exceed one thousand dollars of assessed value.....	342	342, 408, 543, 840		Lopp.
216	A bill discharging the tax payers of Montgomery county, in the State of Indiana, from liability in the case of a judgment rendered in favor of the State against William H. Schooler, as Treasurer of said county, and declaring an emergency.....	342	343		McClasky.
✓ 217	A bill concerning tax sales, and to limit the time within which actions may be brought, to set aside, vacate or annul such sales, or deeds made in pursuance thereof, or recover possession of real estate sold.....	348	348, 422, 601		Woods.
✓ 218	A bill to regulate the taxation of costs in certain cases.....	348	348, 602, 922		Woods.
✓ 220	A bill concerning the Supreme Court.....	375	375, 531		Shuey.
✓ 221	A bill authorizing the Directors of the Western and Southern State Prisons to lease the same, and prescribing the terms and conditions of said lease.....	376	376, 462		Woods.
✓ 222	A bill to amend section seventy-seven of an act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights, and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, approved December 20, 1865.....	376	376, 552, 840, 1098	1099	Foulke.
✓ 223	A bill regulating charges for transportation of freight by the various railroad corporations doing business in the State of Indiana.....	376	376, 827	1188	Van Valkenburg.



## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 224	A bill to lease the Southern State Prison, and prescribing the terms and conditions in reference thereto.....	376	376, 603					Miller.
✓ 225	A bill to amend section four of an act containing several provisions regarding landlords, tenants, lessors, and lessees, approved May 20, 1852.....	377	377, 531, 552, 796	796	1188		1217	Higgins.
✓ 226	A bill to establish a Soldiers' and Sailors' Home, and for the benefit of their widows and orphans.....	397	397					Hamilton.
✓ 227	A bill to amend section four of an act entitled "An act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors; to prohibit the adulteration of liquors; to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof," approved March 5, 1839, and to repeal section five of said act.....	397	397					Shoaff.
✓ 228	A bill to repeal an act entitled "An act to amend section thirty-five of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1835, which was approved December 20, 1835.....	399	399, 741					Douglass.
✓ 229	A bill granting the Trustees of the several townships of this State the power to levy and collect moneys, to be known as a bridge fund, in the way and manner that other taxes are levied and collected.....	399	399, 635, 805, 831, 969, 1100					Spencer.
✓ 230	A bill supplemental to "An act regulating descents and the apportionment of estates," approved May 14, 1852.....	399	399, 542					Hartman.
✓ 231	A bill to amend the one hundred and twenty-second section of an act entitled "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.....	400	400, 507, 759					Woods.
✓ 232	A bill to amend section seventeen of an act entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions," approved May 23, 1852.....	400	400, 601, 832					Long.
✓ 233	A bill to fix the time of holding the Courts of Common Pleas in the county of Clinton, and repealing all laws in conflict therewith.....	400	400, 413, 679, 717, 869	870		981		Morrison.
234	A bill to amend the first section of "An act to regulate the toll of grist mills and prescribing certain duties of millers," approved May 31, 1852.....	400	400, 445					Kiser.

✓235	A bill to amend the eighth section of an act entitled "An act repealing all general laws now in force for the incorporation of cities, prescribing their powers, rights and duties, and the manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified," approved December, 1865.....	414	414, 510, 759, 819, 948, 1011	Higgins.
✓236	A bill to amend the twenty-first section of an act entitled "An act to authorize a company to contract the Aurora and Laughter Turnpike," approved February 15, 1848.....	415	415, 444, 779	Greene.
237	A bill to require County Auditors and County Treasurers, in addition to their other duties, to report to the County Commissioners the amount of bounty orders issued to the soldiers of the late war, the number of each order, to whom issued, the amount paid on each order, when paid, and to whom paid, and providing penalties for refusing to make said reports.....	415	415	Belford.
✓238	A bill to revise and amend the sixth section of an act entitled "An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter, approved January 27, 1847.....	415	415, 815	Bischof.
✓239	A bill supplemental to an act entitled "An act in relation to the taxation of lands in towns and cities, approved June 18, 1852.....	415	415, 778, 1199	Newcomb.
✓240	A bill to provide for the inspection of coal oil, petroleum oil, and mixtures of coal and petroleum oils, and prescribing penalties for the violation thereof.	416	316	Moore.
✓241	A bill authorizing the re-survey of the incorporated towns, defining the duties of the corporate authorities therein, the duties of other officers, and declaring an emergency.....	416	416, 716, 924	Spencer.
✓242	A bill to amend sections 10 and 11 of an act entitled "An act to create a State Normal School, and declaring an emergency," approved Dec. 20, 1865.....	417	417, 874	Lopp.
✓243	A bill prescribing the manner in which railroad corporations within this State may be consolidated with railroad corporations within or without this State, prescribing penalties for the violation of this act, and declaring an emergency therefor.....	444	444, 759, 819, 1012	Com. on Railroads.
✓244	A bill districting the State for Judicial Circuits, and providing that Judges and Prosecuting Attorneys of circuits, as heretofore existing, shall be Judges and Prosecutors of the Circuits in which the county where they reside is situated, under this act, and providing for filling vacancies in said offices.....	447	447, 464, 470, 501, 520	Daggy.
✓245	A bill to repeal an act entitled "An act to ascertain the amount of fees and salaries of the Clerks of the Supreme, and Circuit, and Common Pleas Courts of this State; the Sheriff of the Supreme Court, and the Auditors, Treasurers, and Records of the various counties of this State, and of Prosecuting Attorneys of the Circuit Courts, and to provide punishment for violations of this act.....	449	449, 541, 917, 953	Long of Jackson.
✓246	A bill to perpetuate the improvements made on swamp lands donated by the United States to the State of Indiana, and to provide for the draining and reclaiming thereof, in accordance with the conditions of said grant, and defining the duties of County Auditors, and Boards of Commissioners in relation thereto.....	449	449, 741, 927	Long of Jackson.
✓247	A bill to prohibit the sale of intoxicating liquors as a beverage, and to regulate their sale for useful purposes, and prescribing penalties for being intoxicated in any public place.....	458	458, 953	Staford.
✓248	A bill to provide for the publication of the reports of the Indiana State Board of Agriculture.....	459	459, 837	Com. on Agriculture.
249	A bill to establish the old land marks, and prevent litigation.....	459	459, 509	Willson.

# BILLS OF THE HOUSE—Continued.

1318

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓250	A bill to establish Surrogate Courts, and defining the jurisdiction and duties of, and providing compensation for the Judges thereof.....	459	459, 853					Evans.
✓251	A bill to amend an act amending an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of the county and township officers in relation thereto, approved December 20, 1855.....	459	459					Spencer.
✓252	A bill to amend the fourth sub-division of section six of an act to provide for the valuation and assessment of real and personal property, and collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers, and Auditors, and the Treasurer and Auditor of State, approved June 21, 1852.....	460	460, 587, 921					Prather.
✓253	A bill providing for the location, construction, and use of lateral railroads, and for the assessment of damages occasioned by the location, construction, and use of the same.....	460	460, 715, 924					Daggy.
✓254	A bill fixing the time for filing papers in the Commissioners' Court, and providing that claims chargeable to counties shall be accompanied by affidavit of claimant.....	460	460, 551					White.
✓255	A bill providing for the payment of the ordinary expenses of the State Government, defining the manner in which the same shall be done, and prescribing the duties of the Auditor and Treasurer of State in relation thereto.	460	460					Newcomb.
✓256	A bill to amend section 24 of an act regulating descents, and the apportionment of estates, approved May 14, 1852.....	461	461, 543					Daggy.
✓257	A bill relieving certain officers from the custody of useless papers.....	461	461, 589					Peelle.
✓258	A bill appointing Commissioners to sell real estate, and prescribing their duties, and providing for the disposition of the proceeds of said sale, and for the establishing of an agricultural department in the State University.....	461	998, 1000, 1042 638, 718, 985,					Dunn.
✓259	A bill to amend the 27th section of an act entitled "An act defining felonies, and prescribing punishment therefor," approved June 10, 1852.....	461	461, 568, 570, 581, 582,					Peelle.
✓260	A bill to amend an act entitled "An act to amend section seven of an act entitled 'an act fixing the time for holding the Common Pleas Courts in the several counties of this State, the duration of the terms thereof, and making all process from the present Common Pleas Court returnable to such terms, declaring when this act shall take effect, and repealing all laws inconsistent therewith,'" approved March 6, 1859—so as to change the times of hold-	461	461, 508, 760, 819, 830, 1013					



ing said Courts in Jennings and Bartholomew counties, and declaring when this shall take effect, approved March 3, 1861—so as to change the times of holding said courts in Jennings and Bartholomew counties, extending the time of holding said courts therein, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect, approved February 6, 1865—so as to change the time of holding said courts in the county of Jennings, requiring all persons to take notice thereof, providing for the return of process, and declaring when this act shall take effect.....	461	462, 483	Prather.
A bill to amend section three of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the Agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of the provisions of this act," approved December 21, 1865.....	462	462, 561, 917, 953	Montgomery.
A bill to amend sections two and six of an act entitled "An act to incorporate the widows' and orphans' asylum, of Indianapolis,".....	470	471, 635, 693	Newcomb.
A bill to amend section 104 of an act entitled "An act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act to provide for the valuation of the real and personal property and the collection of taxes in the State of Indiana, for the election of township Assessors and prescribing the duties of Assessors, Appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State, approved June 21, 1852, and to repeal an act entitled an act to amend the 143d section of an act entitled an act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana, for the election of township Assessors, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors and of the Treasurer and Auditor of State, approved June 21, 1852, approved March 4, 1859, approved May 31, 1861.....	471	471, 587	Wolfe.
A bill to legalize the sale of seminary lands in Jasper county to Marion L. Spittler and Margaret Stackhouse.....	471	471, 649, 922	Wright.
A bill to amend sections 9 and 17 of an act entitled "An act to provide for a general system of common Schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.....	471	471	Honneus.
A bill to provide for the teaching of the German language in the Common Schools of this State and to provide for the teaching of such branches of learning as are from time to time required to be taught in the Common Schools of this State to be taught in the German language, upon proper application made for the same.....	472	472	McLean.
A bill to authorize Clerks of Circuit Courts to procure and furnish Justices of the Peace blank books to be used by them as dockets.....	472	472, 538, 917	Morrison.
A bill supplemental to an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852.....	472	472, 814	Woods.
A bill to amend section 156 of article 9, of an act to revise, simplify, and abridge the rules, practice, pleadings, and forms in civil cases, etc.....	473	473, 540, 917	Daggy.
A bill to regulate the granting of divorces.....	473	473, 549	Wilson.

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 271	A bill to amend section sixty-seven of an act entitled "An act repealing all general laws now in force for the incorporation of cities, providing for the incorporation of cities, prescribing their powers, rights, and duties, and in manner in which they shall exercise the same, and regulating other matters properly connected therewith, and repealing certain acts therein specified, approved December 20, 1865; to provide for the exemption of property from assessment for street improvements in certain cases.".....	473	473, 1199					McMurray.
✓ 272	A bill to create the Twenty-second District of the Court of Common Pleas of Indiana; to fix the time of holding the Courts in said district, and to repeal all laws in conflict therewith.....	473	473, 484, 569, 576, 622	622	699	715	752	Moore.
273	A bill to amend section seven of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein proscribed, approved March 6, 1865; to require School Trustees for incorporated cities and towns to make exhibits and reports concerning school funds with which they are chargeable, and their duties general to the Common Council shall require them so to do, and providing when the act shall take effect and be in force.....	474	474					McMurray.
✓ 274	A bill to amend section seven of an act entitled an act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties, approved June 9, 1852.....	474	474, 574, 921					Montgomery.
✓ 275	A bill to amend section 94 of an act entitled "An act to amend sections 78, 79, 94, 95, 104, 132, and 143 of an act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisors of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852, and to repeal an act entitled an act to amend the 143d section of an act entitled, "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors and Appraisors of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852; approved March 4, 1859; approved May 31, 1861.....	485	486, 537, 631, 693, 793, [794]	794	1131	1172	1216	Fuller.

✓ 276	A bill to amend an act to amend section twenty-four of an act, entitled "An act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852; which first above mentioned act was approved March 11, 1831.....	486	486, 536, 631, 693, 793	795	1131	1172	1216	Fuller.
✓ 277	A bill to amend section 13 of an act entitled "An act to amend sections 123 and 136 of an act to provide for the valuation and assessment of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Township Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State," approved June 21, 1852, and to repeal sections 138, 139 and 140 of said act, approved June 3, 1861.....	486	486, 536, 631, 740, 798, 895	895	1014		1216	Fuller.
✓ 278	A bill to amend the fourth paragraph of section one of an act entitled "An act fixing the time of holding Circuit Courts in the several counties of this State," approved June 18, 1852.....	486	487, 508, 625, 693, 793, [796]	892	865	904, 928, 935, 1135, 1150	1215	Montgomery.
✓ 279	A bill to provide for the sale of forfeited saline lands.....	487	487, 882, 916, 953					Corey.
✓ 280	A bill to fix the qualifications of teachers of common schools in the State of Indiana, and repealing all laws inconsistent therewith.....	487	487, 575, 921					Smith of Lagrange.
✓ 281	A bill regulating the fees of the Circuit and Common Pleas Courts, and supplemental to an act regulating the fees of officers, and repealing former acts in relation thereto, approved March 2, 1855.....	487	487, 739					Hamilton.
282	A bill to organize a system for the promotion of immigration to the State of Indiana.....	489	489, 694	677				Poele.
✓ 283	A bill to prevent public drunkenness and to prescribe penalties therefor.....	524	524, 581, 617, 674, 678					White.
✓ 284	A bill to prohibit the sale, for burning purposes, of coal oil, in the State of Indiana, at a lower first than one hundred and ten degrees, and prescribing the penalties therefor.....	525	525, 953	829			1140	Crain.
✓ 285	A bill in relation to the erection of a suitable building for the Supreme Court and the State offices.....	563	553, 827, 828, 829	973	1087			Higgins.
✓ 286	A bill fixing the salary and terms of office of the Directors of the State Prison North, and repealing all laws conflicting with this act.....	561	561, 631, 693, 972					Crain.
✓ 287	A bill to amend section three hundred and fifteen of article eighteen of "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	561	562, 917, 953					Martin.
✓ 288	A bill to amend section one of an act to amend an act entitled "An act authorizing county agricultural societies to purchase and hold real estate," approved February 7, 1855, and to authorize such societies to issue capital stock.....	562	562, 693, 923	634		973, 974		Baker.
✓ 289	A bill to amend section twenty-nine of an act entitled "An act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852.....	562	562, 633, 693					Wolfe.
✓ 290	A bill to equalize the benefits to the families of non-commissioned officers, musicians and privates entitled to relief out of the funds raised by taxation under an act for that purpose, approved March 4, 1865, and an act on the same subject, approved December 20, 1865.....	562	562, 816, 1113					

# BILLS OF THE HOUSE—Continued.

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Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓292	A bill in relation to the practice in the trial of civil causes in the Circuit and Common Pleas Courts.....	563	563, 815					Ross.
✓293	A bill to fix the time of holding the Circuit Courts in the Fifth Judicial Circuit, prescribing the length of the terms thereof, and repealing all laws in conflict therewith.....	564	564, 598, 624	624	638	649	671	Campbell.
✓294	A bill to disfranchise deserters from the United States and deserters from the draft, and rendering them incapable of holding any office of trust or profit in this State.....	564	564, 846					Griggs.
✓295	A bill to authorize cities to prepare, execute, negotiate and sell bonds to raise means with which to complete unfinished school buildings and to pay debts contracted for the same.....	564	564, 590, 922					Daggy.
✓296	A bill to amend section eighty of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State," approved June 21, 1852.....	564	565, 653					Fuller.
✓297	A bill in relation to docket fees.....	565	565, 772					Miller.
✓298	A bill making it a misdemeanor to allow hogs to run at large in certain cases.....	565	565, 817					Wolfer.
✓299	A bill to amend section seventy-seven of an act entitled an act to amend section seventy-seven of an act entitled "An act to revise, simplify and abridge the rules, practice and proceedings and forms in criminal actions in the courts of this State," approved June 17, 1852; which latter act was approved December 20, 1855.....	565	565, 694, 812					Shook.
✓300	A bill to amend section one of an act entitled "An act to amend section one of an act entitled an act to fix the time of holding the Common Pleas Courts in the several counties in this State, the duration of the terms thereof, and making all process from the present Common Pleas Courts returnable to such terms, and declaring when this act shall take effect, and repealing all laws inconsistent therewith," approved March 5, 1859; approved January 26, 1861.....	565	565, 573, 625, 693, 970	970	1188		1219	Hopkins.
✓301	A bill donating certain real estate in the village of Rome City, in the County of Noble, and State of Indiana, to said village for educational purposes.....	566	566, 813, 914, 953, 1090, 1091	1091				Geisendorff.

✓ 302	A bill to amend the sixteenth and forty-seventh sections of an act entitled "An act to provide for the opening, vacating and change of highways, and to increase the fees of viewers and reviewers,".....	566	566, 715	Hamilton.
✓ 303	A bill to amend section 704 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings, and forms, in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	567	567	Ratliff.
✓ 304	A bill to amend section three of "An act for the regulation of weights and measures," approved June 9, 1852.....	567	567, 919, 970	Crane.
✓ 305	A bill for the suppression of lotteries, gift distributions, and other gambling schemes, and for the punishment of persons engaged in the same, or encouraging, aiding, abetting, or assisting in such schemes, and providing a penalty for the violation of this act.....	567	567, 1074	McLean.
✓ 306	A bill to authorize the reference of trials to master commissioners, and defining their duties relating thereto.....	579	579, 815	Bobo.
✓ 307	A bill allowing parties to suits in all cases, to be witnesses when such parties are only securities.....	579	579, 813	Peelle.
✓ 308	A bill reaffirming the common law rule as to criminals running at large, and giving a right of action for injuries, etc.....	579	579, 814	Ross.
✓ 309	A bill regulating the sale of intoxicating liquors, and the procuring of license to sell the same.....	580	580, 953	Greer.
✓ 310	A bill to amend an act approved February 23, 1859, entitled "An act to amend an act entitled an act to amend the thirty-second section of an act defining misdemeanors, and prescribing punishment therefor," approved June 14, 1852; approved March 7, 1857.....	580	580, 1074	Hughes.
✓ 311	A bill to define perjury in legislators and others filling official positions, and fixing the penalty therefor.....	580	580, 1075	Kiser.
✓ 312	A bill that the Board of Trustees of any incorporated town shall have the right to lease any wharf or part of a wharf fronting on a navigable stream within the limits of the town.....	580	580, 717, 970	Brucker.
✓ 313	A bill for the incorporation of Live Stock Insurance Companies, defining their powers and prescribing their duties, authorizing them to adopt a brand, and prescribing penalties for its unlawful use.....	580	581, 716, 924, 1046	Campbell.
✓ 314	A bill to amend section five of an act to amend sections 78, 79, 94, 95, 104, 142 and 143 of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the elections of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Auditors and Treasurers, and of the Treasurer and Auditor of State," approved June 21, 1851, and to repeal an act entitled "An act to amend the one hundred and forty-third section of an act to provide for the valuation and assessment of real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852; approved March 4, 1859; approved May 31, 1861.....	581	581, 817	Stewart.
✓ 315	A bill to provide for the incorporation of companies for the transportation of goods, wares, and merchandise upon the highways and navigable streams of this State.....	618	618, 1199	Higgins.



## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓ 316	A bill to protect and indemnify officers and soldiers of the United States, and officers and soldiers of the Indiana Legion, for acts done in the military service of the United States, and in the military service of the State of Indiana, and in enforcing the laws and preserving the peace of the country.	684	684, 786, 787, 788, 789, 790, 791, 832, 833	834	1044	839, 1037	1077	Hughes.
✓ 317	A bill to amend section thirty-five of act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State"	695	695, 912					Barritt.
✓ 318	A bill to provide for the election of County Surveyors, prescribing their duties, together with all other county officers named therein, fixing certain of their fees, and repealing all laws and parts of laws in conflict therewith....	695	695					McFadin.
✓ 319	A bill authorizing the appropriation of money out of the State Treasury for the use of the State University, located at Bloomington, Monroe county.....	695	695, 923, 970	1000	1065	1105	1111	McLean. Bird.
✓ 320	A bill for protecting the community against quack physicians.....	696	696, 725, 925					Hopkins.
✓ 321	A bill providing for refunding out of the Treasury of State to Alvah Johnson, a sum of money paid by him in obedience to a judgment of the Vanderburgh Circuit Court, in an action in which the State of Indiana was plaintiff, and John W. Johnson and others were defendants .....	697	697, 988					Corey.
✓ 322	A bill amending sections twenty-four and one hundred and sixty of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," .....	697	697					Griggs.
✓ 323	An act to suppress tipping houses, regulate the sale of spirituous, vinous, malt and other intoxicating liquors, and to repeal all laws inconsistent therewith.....	698	698, 953					Fuller. Smith of Lagrange
✓ 324	A bill to regulate the mileage of Sheriffs in conveying convicts to the State Prison, and repealing all laws in conflict therewith .....	720	720, 925					
✓ 325	A bill concerning divorces, and repealing all laws inconsistent therewith.....	720	720, 818					
✓ 326	A bill to amend sections two, three and four, of an act entitled "An act defining who are persons of unsound mind, and authorizing the appointment							

✓ 327	of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint, when necessary," approved May 29, 1852.....	720	720, 910		O'Neil.
✓ 328	A bill to procure the personal security of persons and property passing over railroads within this State, by compelling railroad companies to securely fence their roads, to erect signal boards, and prescribing penalties for the violation of this act.....	722	723, 926		Honneus.
✓ 329	A bill to amend the first section of an act entitled "An act to amend the fortieth clause of section thirty of an act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said City of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the laws of the commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, in the State of Tennessee, to a point on the Ohio river, at or near Evansville, Indiana.....	747	747, 852		Bischof.
✓ 330	A bill to amend section one of an act for the incorporation of high schools, academies, colleges, universities, theological institutions and missionary boards, approved February 28, 1855.....	747	747		Ferris
✓ 331	A bill in relation to practitioners of medicine.....	748	748, 749		Foulke.
✓ 332	A bill requiring the Secretary of State to procure the paper and other stationery for the Public Printer, directing the manner of doing the same, and requiring the State Printer to account for all paper and stationery placed in his hands, directing suit upon paper contractors' bonds, and providing compensation to the Secretary of State for his services.....	782	782, 824, 877, 1006	1007	Peelle.
✓ 333	A bill to amend the twenty-eighth section of an act entitled "An act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company," approved January 4, 1850.....	783	783, 993		Wason.
✓ 334	A bill to regulate the rate per mile to be charged by all Railroad Companies in the State of Indiana, for the transportation of passengers, and other matters properly connected therewith.....	783	783, 844, 845, 870, 871, 873, 888		Stafford.
✓ 335	A bill to legalize the action of the State Board of Equalization, at its sessions in 1864, and declaring the duty of the Auditor of State in relation thereto.....	810	810, 862, 1004	1005	Newcomb.
✓ 336	A bill to amend section two of an act entitled "An act to provide a treasury system for the State of Indiana; for the manner of receiving, holding, and disbursing the public moneys of the State, and for the safe keeping of public moneys," which act took effect August 6, 1859.....	811	811, 893, 1005	1006	Newcomb.
✓ 337	A bill to amend the sixteenth and seventy-second sections of an act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the Ohio and Wabash rivers.....	822	822, 995, 996		Moore.
✓ 338	A bill to fix the time of holding courts in the county of Kosciusko, of the Fourteenth Judicial Circuit.....	864	864	865	Funk.
✓ 339	A bill fixing the times of holding the Civil Circuit Courts in the several counties of this State, the length of the terms thereof, and other matters properly connected therewith.....	866	866, 912, 1055, 1078		Daggy.
	A bill to amend the fifth section of "an act to legalize the issuing of bonds, and making appropriations, and the levy and assessments for taxes in certain cases, and making it unlawful after the quota of the State, on the				

## BILLS OF THE HOUSE—Continued.

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
✓340	present call is filled, for bonds of County Commissioners or the municipal authorities of incorporated towns and cities, to pay any money out of the treasuries, or the issue of any bonds, orders or evidence of indebtedness, to give bounties to volunteers, drafted men or substitutes," approved March 3, 1865.....	868	868					Evans.
✓341	A bill to prohibit the sale of intoxicating liquors as a beverage, declaring places where they are thus sold a nuisance, and to regulate their sale for useful purposes, and to repeal all laws in conflict with this act.....	870	870, 953					Long of Kosciusko
✓342	A bill to provide for the assessment and collection of taxes on the shares of stock owned in banks and banking associations doing business in this State, mission, whose duty it shall be to settle the claims of the State of Indiana against the general Government, by accepting the "internal improvement bonds" issued by said State, and held in trust for certain Indian tribes by the general Government; to provide for the payment of the balance of the outstanding bonds of the State, issued prior to the year 1846; to provide for the registration, cancelling and burning of said bonds, and providing compensation for said commissioners.....	873	873, 892, 1106, 1107	1110	1147	1154		Nowcomb.
✓343	A bill to amend sections 106, 110, 111 and 119, of an act entitled "An act to provide for a general system of Common Schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.....	883	884, 960, 965, 968, 1015					Branham.
✓344	A bill to repeal an act entitled "An act to provide for the sale of certain lands belonging to the State of Indiana in the counties of Jasper and Newton, and to give pre-emption to actual settlers thereon," approved December 12, 1865, and for the relief of John P. Dunn, former Auditor of State... A bill fixing the time of holding Courts of Common Pleas in the Twelfth Judicial District.....	893	893, 894	894	1160		1219	Funk.
✓345	A bill extending the time for holding the Common Pleas Court in the county of Cass, and repealing all laws inconsistent herewith.....	894	896, 949, 1008, 1079					O'Neil.
✓346	A bill to prevent the spreading of any contagious or infectious disease among cattle.....	916	917, 1088, 1114, 1135					Campbell.
✓347		917	917, 1042					McFadden.
		919	919					Dunn.



✓ 348	A bill making general appropriations for the years 1867 and 1868, defining the salaries and official tenure of certain officers, repealing certain laws therein named, and declaring an emergency.....	954	954, 955, 956, 957, 958, 1002	1003	1140	1217	Newcomb.
✓ 349	An act supplemental to, and declaratory of the meaning of an act passed at the Special Session of the General Assembly, begun on the 13th day of November, 1865, and entitled "An act to secure a just valuation and taxation of all railroad property within this State; to legalize the valuation, assessment, adjustment and payment of taxes for such property made subsequent to the year 1859....."	1085	1095, 1096	1096	1147	1215	Newcomb.
✓ 350	A bill for making specific appropriations for the year one thousand eight hundred and sixty-seven.....	1101	1101, 1102, 1103	1104	1156	1219	Newcomb.

# JOINT RESOLUTIONS OF THE HOUSE.

1328

Number.	TITLES.	Introduced.	Proceedings thereon.	Passed House.	Passed Senate.	Other Proceedings.	Approved.	By whom Introduced.
1	A joint resolution accepting and ratifying certain amendments to the Constitution of the United States proposed by Congress to the Legislatures of the several States.....	13	19, 100, 101, 102, 103, 104					Shuey.
2	A joint resolution instructing our Senators and requesting our Representatives in Congress, to use their influence to have the interest bearing debt of the United States first paid.....	13	19, 72, 128, 243, 310, 325	327	1189		1220	Crane.
3	A joint resolution proposing an amendment to the ninth section of the third article of the Constitution of this State.....	15	19, 207, 249					Shuey.
4	A joint resolution for suspending the sale of the Stoking Fund building in the city of Indianapolis, and for the appointment of a committee to examine the same, and report upon the propriety of its purchase by the State.....	72	72	74	84			Newcomb.
5	A joint resolution proposing an amendment to article eight of the Constitution, so as to enable townships to levy taxes for the support of common schools.....	76	76, 249	960				Smith of Lagrange.
6	A joint resolution authorizing the Librarian to draw from the Treasurer of State the sum of one thousand dollars, to purchase post office stamps for the two houses of this General Assembly.....	83	83, 93, 97					McLean.
7	A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage of a law equalizing the bounties of the soldiers of the late war for the Union.....	239	239					Gordon.
8	A joint resolution proposing an amendment to article eight of the Constitution, so as to enable cities and towns to levy taxes for the support of common schools, approved March 6, 1855.....	265	265, 266, 267, 336, 420, 499					McLean.
9	A joint resolution declaring that there is now no law in force authorizing the payment of any money out of the State Treasury for the purpose of defraying the expenses of the Indiana Military Agency for soldiers' claims, at Indianapolis, Indiana, or the State Military Agency, acting in connection therewith, at Washington City, District of Columbia, or the salaries of clerks, office rent, or other expenses connected with said agencies, and abolishing the so called offices, and prohibiting the further payment of any money from said Treasury for the use and benefit of said agencies, and to provide for the closing up of such business, and discontinuance of said offices.....	347	348, 406, 665, 717, 974	975	1010	1092	1139	Belford.
10	A joint resolution for the relief of David F. Stephenson.....	377	377, 479, 528	757				Matthis.

11	A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law placing the surviving soldiers of the war of 1812, (who have not received any pension from the Government), upon the Pension Rolls.....	377	377, 479, 480, 504	504	1189	McFadin.
12	A joint resolution instructing our Senators in Congress to use their votes and influence against the confirmation of persons nominated by the President of the United States, to offices made vacant by the removal of officers on account of political opinion.....	401	401			Stafford.
13	A joint resolution instructing our Senators and requesting our Representatives to Congress to secure the passage of a law by which the damage and losses incurred by certain citizens of Indiana by the Morgan Raid be paid.	472	472, 759, 819	1097	1122	Spencer.
14	A joint resolution for the relief of John I. Morrison, late Treasurer of State	484	485, 650			Prather.
15	A joint resolution instructing our Senators and requesting our Representatives to favor a law permitting the States and municipal authorities to tax the currency of the country.....	487	487			Vawter.
16	A joint resolution vacating a highway near the Asylum for the deaf and dumb, authorizing the Trustees of said Institution to resume possession of the land over which the same runs.....	525	525, 806	867		Stewart.
17	A joint resolution to appropriate money to Nathan Brown, of Sullivan county, Indiana, for the discovery of the cause of milk-sick.....	618	618, 922, 923			Griggs.
18	A joint resolution instructing the Governor to send an Agent to the State of Mississippi, to secure the protection and release of Daniel Harrison, of Pike county, Indiana.....	664	664, 669	670	686	Wilson.
19	A joint resolution to convene the Legislature in extra session.....	696	696			Griggs.
20	A joint resolution to give prisoners of war extra pay while prisoners of war..	697	697, 924	1098	1122	Greene.
21	A joint resolution in relation to the improvement of the navigation of the St. Joseph river.....	823	823			Ferris.
22	A joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law authorizing the State of Indiana to turn over the Agricultural College endowment fund to the credit of the common school fund of said State.....	826	826, 953			Lopp.
23	A joint resolution that our Senators be instructed, if consistent with the general interest of the country, and our Representatives in Congress be requested to inquire into the expediency of setting apart a certain portion of the territory of the United States to be occupied exclusively by the African race, and that all the colored population of the United States be colonized in said territory.....	827	827, 1061			Bird.
24	A joint resolution instructing our Senators and requesting our Representatives to procure the repeal of all laws of Congress exempting bonds, treasury notes, certificates of indebtedness, fractional currency, and all other evidences of indebtedness of the United States, from taxation for State and municipal purposes, and to provide, by loan, for their taxation, at a rate no higher than other property of such State is taxed for like purposes.....	870	870, 953, 1061			Ross.
25	A joint resolution in regard to the use of canal banks for railroad purposes....	956	956, 1061			Mason.
26	A joint resolution instructing our Senators and requesting our Representatives to secure the passage of an amendatory act to existing pension laws....	1091	1091			Tobbs.

## BILLS OF THE SENATE.

Number.	TITLES.	Reported from Senate.	Proceedings Thereon.	Passed House.	Other Proceedings.
26	An act appropriating seventy-five thousand dollars to defray the expenses of the forty-fifth session of the General Assembly.....	126	126, 127, 129, 130, 131, 154, 175	177	203, 204, 222
21	An act supplemental to an act approved March 5, 1859, entitled "An act authorizing the purchase of railroads, plank roads, turnpike and macadamized roads, or parts thereof, under mortgaged sale, or sale made according to the terms of deeds of trust to organize as incorporated companies, and prescribing their powers and duties; extending the time provided in said act for the organization of such distinct corporations by such purchases,".....	127	128, 215, 244, 318	245	300
17	A bill to amend the title of "An act concerning licensees to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain," approved June 13, 1852.....	178	178, 223, 245, 507		
5	A bill to amend an act entitled "An act to amend an act entitled an act to fix the amount of the salary of the State Librarian, and repealing all former laws conflicting therewith, and to dispense with an Assistant Librarian and clerk," approved March 4, 1859, and also increasing the powers and duties of the State Librarian, approved December 20, 1855.....	213	213, 222, 458, 475, 527	527	595
24	A bill to legalize the acknowledgments of all deeds, mortgages and other instruments required to be recorded, taken and certified by notaries public, who took and certified such acknowledgments after their commissions had expired and their appointments had been vacated by accepting and holding a lucrative office.....	213	213, 222, 245, 583	622	
50	A bill to amend section — of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith; and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.....	214	214, 222, 245		240
69	A bill to make an appropriation for the payment of sheriffs' mileage.....	214	214, 223		
22	A bill regulating the fees of clerks of courts, justices of the peace, and notaries, in certain cases.....	215	215, 222, 325, 583, 1116	1117	
98	An act making specific appropriations for the support of benevolent institutions.....	299	299, 305, 321, 343	378	
7	An act to repeal an act entitled an act to enforce the thirteenth article of the Constitution.....	299	299, 304, 343, 379, 405	533	

11	An act to amend sections three and fourteen of an act entitled "An act to allow County Commissioners to organize turnpike companies where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free."	299	299, 304, 410, 477, 851, 1123	1124
12	An act for the correction of mistakes in conveyances where a married woman is a party.....	300	300, 304, 603	
28	An act to amend section eighteen of an act entitled "An act prescribing the powers and duties of justices of the peace in State prosecutions....."	300		1050
34	An act to amend section three of an act entitled "An act to establish Courts of Common Pleas, and defining the jurisdiction and duties of, and providing compensation for the judges thereof," approved May 14, 1852, and creating a new district, and providing for the appointment of a judge therein.....	300	300, 304, 484, 527	
29	A bill to define who are competent witnesses in this State.....	300	300, 304, 432	1181
58	A bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State".....	340	340, 463, 989, 1027, 1180	
32	A bill to provide for issuing <i>capias ad satisfaciendum</i> when, in actions for recovery of personal property, defendant shall fraudulently conceal, remove, transfer, withhold or refuse to deliver said property, and providing the manner of proceedings to obtain said writ in certain cases therein specified.....	340	340, 463, 541, 583, 1118	1119
43	A bill to amend section fifteen of an act entitled "An act to provide for the opening, vacating and changing of highways," approved June 17, 1852.....	341	341, 463, 550, 583, 1119	1120
33	A bill to amend sections 10, 13, 14 and 15 of an act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855.....	341	341, 463, 561	
102	A bill to provide for the custody and management of the notes, bonds and mortgages arising directly out of loans heretofore made by the Board of Sinking Fund Commissioners; to continue in force all laws or parts of laws in force on the 20th day of January, 1847, which are applicable to said loans and the securities thereof; to clothe said Auditor with power, and subject him to the duties in relation to said loans and securities thereof, which, by said laws, are vested in or imposed upon said Board of Sinking Fund Commissioners; to provide for the incidental expenses of the management of said loans and securities, including clerk hire, and for the mode and period of the payment of such allowance for expenses; substituting the seal of the Auditor of State for that of the Board of Sinking Fund Commissioners, and declaring an emergency for the immediate taking effect of this act, and providing for the Auditor of State to execute bond and payment of all moneys into the State Treasury.....	405	405, 406, 611, 732, 733, 752, 950, 1039, 1057	1059
13	An act to authorize and provide for changes of revenue in civil actions in certain cases.....	425	425, 468, 539, 583, 729, 1002, 1009	1041
30	An act to provide for the protection of fish, defining the time in which they shall not be trapped, netted, or seined, affixing the penalties for the violation of this act, and declaring an emergency..	425	425, 467, 509, 583, 1117	1118

## BILLS OF THE SENATE—Continued.

Number.	TITLES.	Reported from Senate.	Proceedings Thereon.	Passed House.	Other Proceedings.
36	A bill to amend an act to provide for the appointment of a Sheriff of the Supreme Court and prescribing certain of his duties and fees, approved May 13, 1859.....	426	426, 468, 992, 1070		
53	An act to amend the first section of an act entitled an act to amend the first section of an act to amend an act entitled an act to amend the sixth section of an act providing for the organization of county boards, and prescribing some of their powers and duties, which first above mentioned act was approved June 17, 1852, and which latter act last above mentioned was approved March 9, 1861, and which act hereby amended was approved March 7, 1863.	426	426, 468, 653		
61	An act to amend section thirty of an act entitled an act to amend an act entitled "An act providing for the election or appointment of Supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto," approved March 5, 1859, which last mentioned act was approved December 20, 1865.....	426	426, 467, 551		
63	An act for the repeal of Statutes not in conformity with the ruling of the Supreme Court in the case of Langdon against Applegate and others, and limiting actions arising out of the same or for a violation thereof.....	426	426, 467, 475, 583, 1115	1116	
74	An act amendatory of an act entitled "An act to provide for the more uniform method of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859.....	426	426, 467, 1075		
96	An act to amend an act entitled "An act providing for the election or appointment of Supervisors of highways and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, approved December 20, 1865.....	426 426	426, 467, 738, 1049, 1050 426, 466, 510	1133	
158	An act concerning the Supreme Court.....	426	426, 468, 602, 1121	1122	
8	An act to provide for the care and custody of the person and estate of habitual drunkards.....				
70	A bill to amend section fifty-seven of an act for the incorporation of cities, approved December 20, 1865, authorizing subscriptions and donations to aid in the construction of plank roads, macadamized roads and railroads, running into or through such cities, prescribing the manner in which such subscriptions and donations may be made, and for the enforcement thereof.	404	468, 542, 582, 1043	1044	
58	A bill to amend an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes				



4	in the State of Indiana; for the election of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State," approved June 21, 1852.....	465	466, 584, 1120	1121
1	An act to establish a home for the maintenance of sick and disabled Indiana soldiers.....	525	526, 651, 1021	1132
106	An act to divide the State into Congressional Districts.....	532	532, 582, 592, 595, 596, 597, 641, 642	643
37	A bill to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties in this State.....	533	533, 582, 617, 655, 658	656
	An act to repeal all general laws new in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto.....	537	537, 627, 1032, 1052, 1053	1054
40	A bill defining what counties shall constitute the 13th Judicial Circuit, and fixing the times of holding courts therein.....	537	537, 583, 607, 732	1025
42	An act defining what counties shall constitute the 7th Judicial Circuit, and fixing the times of holding the courts therein.....	537	537, 583, 608, 620	663
161	An act to establish a House of Refuge for the correction and reformation of Juvenile offenders.....	582	582, 583, 592, 630, 698, 749, 874, 896	1001
2	A bill to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named, and the form of the ballots, and providing compensation for services of such officers.....	593	593, 726, 727, 928, 929, 930, 931, 932, 933, 937, 938, 939, 940	946
54	An act authorizing the assessment of all the lands within one and one half miles of the terminus of any plank, macadamized or gravel road, organized under, and pursuant to any act of the General Assembly of the State of Indiana, entitled an act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852, when the subscription to such road amounts to at least eight hundred dollars per mile, and is not sufficient for the completion of the same, and the collection of such assessment, provided the lands are situated within the county in which such road is located.....	637	637, 728, 813, 1068, 1152	1173
212	An act to regulate the arrest and surrender of fugitives from justice from other States and Territories.....	637	637, 731, 1043, 1067, 1147	1148
35	A bill to amend section 19 and 20 of an act entitled an act defining felonies and prescribing punishment therefor, approved June 10, 1852, defining the offenses of grand and petit larceny, and prescribing the punishment therefor.....	660	729	
41	An act to authorize incorporated towns and townships to subscribe for, purchase and hold stock and make donations to turnpike, plank road, railroad, railway, and slack water navigation companies, and matters properly connected therewith, and declaring an emergency.....	660	731, 911, 1045, 1111	1175
76	A bill to increase the salary of the Prosecuting Attorneys of the Criminal Circuit Courts, and providing the manner of the payment of the same.....	660	1067	
86	An act supplemental to an act entitled an act for the incorporation of high schools, academies, colleges, universities, theological institutes, and missionary boards, approved February 28, 1855.....	660	729, 812, 837, 1122	1123
89	An act providing for the incorporation of steam packet companies.....	660	730, 819, 1068	1149



## BILLS OF THE SENATE—Continued.

Number.	TITLES.	Reported from Senate.	Proceedings Thereon.	Passed House.	Other Proceedings.
111	An act authorizing Township Trustees, Trustees of incorporated towns, and the Common Council of cities to levy a tax for school purposes.....	660	731, 816, 908	1125	
164	A bill to provide for the removal from office, death, resignation or inability of both Governor and Lieutenant Governor, declaring who shall be Governor, and repealing all laws inconsistent therewith.....	661	730, 881, 1068, 1153	1154	
125	An act to declare abandoned certain unfinished railroads, and to provide for their completion, to declare forfeited the franchises of certain railroad companies, and for the assessment of the value thereof, for the organization of new companies, and for making annual statements.....	664	912, 1027, 1179	1180	
143	An act to amend an act entitled an act for the incorporation of high schools, academies, colleges, universities, theological and missionary boards, approved February 28, 1855.....	664	729, 846, 1025	1126	
151	An act amending an act touching the relation of guardian and ward, and regulating suits on bonds of guardians removing from the State.....	664	729, 1067	1145 <sup>a</sup>	
206	A bill creating the Twenty-Second Common Pleas District, and making provisions therefor, and repealing all conflicting laws.....	665	729, 1067	1146	
79	An act providing for the incorporation of electric telegraph companies.....	679	730, 741, 1067, 1148	1149	
152	An act to legalize and make valid certain bonds, and to provide for the payment of the same.....	679	731, 815, 1003, 1004, 1130	1131	
175	An act for the incorporation of companies for the purpose of erecting and maintaining buildings to be used or occupied in whole or in part for masonic meeting purposes or in any way for the accommodation or conveniences of masonic bodies or lodges.....	679	730, 911, 1111	1186	
75	An act for the incorporation of slack water navigation companies, and defining their powers and duties.....	681	729, 731, 1066	1134	
214	An act to authorize cities to prepare, execute, negotiate and sell bonds, to provide means to complete unfinished school buildings, and to pay debts contracted for the erection of school buildings, and to authorize the levy and collection of an additional special tax, to provide means for the payment of the interest and principal of such bonds and declaring an emergency.....	686	730, 834, 1047	1136	
191	An act supplemental to an act entitled an act for the incorporation of manufacturing and mining companies; and companies for mechanical, chemical and building purposes, approved May 20, 1852, and providing that charters of existing companies shall not be forfeited for acts done prior to February 1, 1867.....	690	730, 908	1026	

38	An act to amend section twenty of an act entitled an act to amend an act entitled an act providing for the election or appointment of Supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved January 20, 1865.....	710	732, 993, 1070, 1181	1182
96	A bill to amend the seven hundred and sixteenth section of an act entitled, an act concerning the writ of <i>habeas corpus</i> .....	710	732, 910	
103	A bill to prevent persons from injuring or destroying insured property, and for making false proofs thereof, and prescribing penalties for the same.....	710	732, 987, 1070	
118	An act to require Clerks of the Courts of Common Pleas to specify by separate items the fees and services for which they may demand payment of executors, administrators or guardians.....	710	732, 1068	1174
119	An act amending the thirteenth section of an act approved June 4, 1861, entitled "An act for the incorporation of Street Railroad Companies,".....	710	732, 1068, 1151	
303	An act extending the time for holding the Common Pleas Court in the county of Fulton, and repealing all law inconsistent therewith.....	751	904, 1069	1174
223	An act to amend the first section of an act entitled an act to amend the fortieth clause of section thirty of an act entitled "An act granting to the citizens of the town of Evansville, in the county of Vanderburg, a city charter," approved January 27, A. D. 1847, and declaratory of the meaning of the second section of the same act, approved December 21, 1865, so as to authorize the Common Council of said City of Evansville to subscribe for and take stock in the Evansville, Henderson and Nashville Railroad Company, or any other company or corporation organized under and by virtue of the laws of the Commonwealth of Kentucky, for the purpose of constructing a railroad leading from Nashville, Tennessee, to a point on the Ohio river, at or near Evansville, Indiana.....	751	904, 1069, 1177	1178
281	An act to amend section twenty-seven of an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.....	751		
97	An act designating certain holidays, and relative to negotiable paper falling due thereon.....	758	903, 1069, 1154	1155
47	A bill authorizing Boards of County Commissioners to make appropriations in aid of the construction of manufacturing establishments or machine shops.....	800	837, 852, 908, 1124	1125
44	An act to regulate and license the sale of spirituous, vinous, malt, and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violations thereof.....	836	903, 914, 915, 916, 1022, 1054, 1057, 1059, 1061, 1111, 1133	
14	A bill to establish a State of Immigration for the purpose of encouraging immigration to the State of Indiana from the Eastern States of the United States, and from the countries of Europe.....	836	905, 991	
20	An act to amend an act entitled an act prohibiting the Supreme, Circuit, or Common Pleas Judges, County Clerks, Auditors, Treasurers, Recorders, Sheriffs and their Deputies from practising law in any of the courts of this State, except as is in this act permitted, and prescribing punishment for the violation thereof.....	836	905	
60	A bill to provide for the protection of fur-bearing animals.....	836	905, 991, 1072	

# BILLS OF THE SENATE—Continued.

1336

Number.	TITLES.	Reported from Senate.	Proceedings Thereon.	Passed House.	Other Proceedings.
105	An act to amend section five of an act entitled "An act providing for the organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, approved June 1, 1852, and providing for criminal and civil Circuit Courts," approved December 20, 1855.....	854	906, 1023	1024	
174	An act for the relief of Peter Wells and Benoni Wells.....	854	903, 1024, 1129		
114	An act to amend an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto.....	868	906, 1091	1130	1182, 1183
218	An act directing the State and county officers to receive certain certificates in payment as money.....	877	903, 1070, 1127, 1188, 1189		
93	An act concerning interest on money, and to provide for the redemption of various interest.....	877	896, 1008	1127	
227	An act to consolidate certain bonds, stocks and accounts, of the school fund into one non-negotiable bond, and making other provisions in relation thereto.....	877	904, 953, 959, 964	965	
108	An act to amend an act entitled "An act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved June 17, 1862.....	888	906		
116	An act to amend sections eighteen and twenty-five of an act entitled "An act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana," approved January 15, 1852.....	888	906, 1069, 1178		
117	An act to amend sections first and tenth of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township Libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,".....	888	904, 906, 1003, 1072, 1183		
120	An act to amend section sixty-three of an act defining misdemeanors and prescribing punishment thereof, approved June 14, 1852.....	888	907		
213	A bill concerning the punishment of women and girls convicted of crimes and misdemeanors or violations of any city ordinances.....	888	907, 1083, 1170	1171	

140	An act authorizing insurance companies to reinsure their risks, and close up their business.....	902	907, 1070, 1178	1179
131	An act to amend section seven hundred and eighty-four of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity,".....	902	907, 1069	
129	An act to amend an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.....	902	907, 1113	
235	An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the elections of Township Assessors, and prescribing the duties of Assessors, Appraisers of real property, County Treasurers and Auditors, and of the Treasurer and Auditor of State.....	902	907, 943	
148	An act to amend an act to incorporate the Grapevine Marsh Plank Road Company, approved February 12, 1851.....	954	1066	
91	An act to provide for rules and by-laws for such roads, and the punishment for the violation thereof.....	954	1064, 1114, 1154	
233	An act to appropriate certain sums of money to the Antislavery National Cemetery, and to the Soldiers' National Cemetery at Gettysburg.....	963	1064, 1069	
149	An act to amend the second section of "An act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been, or shall be, incorporated in this State for any of the purposes contemplated in this act, with a limitation of the amount or location of its real estate, may take, hold and convey any amount of real estate which may be necessary to carry on the operations of such company, whether such real estate be situated in this State or elsewhere.....	963	1064, 1084	
154	An act to revive and amend the sixth section of an act entitled "An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847.....	963	1024, 1072	1150
159	An act providing for the appointment of a night watchman for the State House, to fix the salary for the same, and declaring an emergency.....	963	1062	
169	An act to provide for official visitations and inspections of the Prisons and Benevolent Institutions of the State.....	963	1062	
171	A bill fixing the duration of the term of the Circuit Courts in the county of Warren, and repealing all laws in conflict with its provisions.....	963	1062	
176	A bill requiring railroad companies to erect signs or public notices at all highway crossings, and providing penalties for the neglect thereof.....	963	1062	
178	An act to regulate the assessment and collection of taxes on the capital stock owned in banks and banking associations, doing business in this State.....	979	1062	
180	An act to amend the twenty-third section of an act for the government of the Indiana Hospital for the Insane, and the care of the insane of Indiana.....	969	1062	
185	A bill to authorize Judges of Circuit Courts and Courts of Common Pleas, to appoint receivers in vacation, and to make all orders in relation thereto; to appoint receivers in vacation, and to make all orders in relation thereto; to authorize such Judges to modify and dissolve injunctions, and to allow			

# BILLS OF THE SENATE—Continued.

1338

Number.	TITLES.	Reported from Senate.	Proceedings Thereon.	Passed House.	Other Proceedings.
186	appeals therefrom, the same as if made by the court in session, and to provide that an appeal from an injunction order shall not operate as a supersedeas; An act supplemental to an act providing for the settlement of descendants' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.....	976	1062		
187	An act to provide for the keeping of a county pauper record, and defining the duties of certain officers in relation thereto.....	976	1062		
190	An act providing the amount of fees to be allowed County Treasurers for the collection of delinquent taxes, and declaring an emergency.....	977	1062		
195	An act to cure defective or illegal bonds of executors and administrators and their sureties.....	977	1062, 1063		
198	An act to amend sections twenty-five and eighty-eight of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and to provide for jurisdiction and for collection of certain taxes in the territory aforesaid, and providing for submitting the question of readjusting the boundary lines between the counties of Warren and Fountain to legal voters of those counties,".....	977	1066, 1169	170	
207	An act requiring certain officers of the State to make reports, and providing for the publication thereof.....	983	1062, 1198		
211	A bill to amend an act entitled "An act to amend section three hundred and fifty-two of an act to revise, simplify and abridge the rules, practice, pleadings, and forms, in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852; approved March 9, 1861.....	984	1065		
215	A bill for an act to prevent the spread of the disease commonly called "hog cholera," and other diseases, among domestic animals.....	984	1065, 1113		
245	An act to repeal section 131 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,".....	984	1047, 1112, 1186	1187	
		1010	1066, 1137	1138	

236	An act fixing the time of holding the courts in the 10th Judicial Circuit, changing the length of term in some of the counties thereof, and prescribing that in other respects existing regulations shall apply thereto.....	1010	1043, 1167	1168
242	An act to amend section five of an act to amend an act entitled "An act for incorporating the Wabash Manual Labor College and Teachers' Seminary," approved February 8, 1851.....	1010	1026, 1072, 1184	1185
220	An act to amend sections ninety-four and ninety-six of an act entitled "An act to provide for the valuation and assessment of the real and personal property, and the collection of taxes in the State of Indiana, for the election of Township Assessors, and prescribing the duties of Assessors and Appraisers of real property, County Treasurers and Auditors, and the Treasurer and Auditor of State,".....	1015	1353	
237	An act creating the Nineteenth, Twentieth and Twenty-First Judicial Circuits, and providing for the election of Judges and Prosecuting Attorneys therein, and providing compensation therefor, declaring the jurisdiction of said courts, and providing for a transfer of actions thereto.....	1015	1061, 1163	1164
244	An act creating the Twenty-Third Common Pleas District, and making provisions therefor, and repealing all conflicting laws.....	1015	1042, 1187	1188
200	A bill approving the action of Thomas B. McCarthy, Auditor of State, in settling and saving to the State of Indiana, \$2,202.08, occasioned by the default of the Treasurer of Pulaski county, on account of the Swamp Land Fund, and authorizing him to dispose of certain lands acquired thereby for the benefit of the State.....	1036	1062	
231	An act to save pending suits affected by the passage of an act entitled an act to repeal sections forty-three and forty-four of an act entitled an act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof, approved May 31, 1852, approved December 21, 1855.....	1045	1193	
226	An act to amend the twenty-eighth section of an act entitled "An act to incorporate the Vevay, Mt. Sterling and Versailles turnpike road company," approved January 4, 1850.....	1060	1066, 1167	
246	An act to fix the time of holding terms of the Circuit Courts in the 11th Judicial Circuit.....	1078	1190, 1191	1192
240	An act fixing the time of holding the Circuit Courts in the First Judicial Circuit, and repealing all laws in conflict therewith, and making all writs, summons and process returnable thereto.....	1128		
241	An act to authorize the Directors of the State Prisons at Jeffersonville and Michigan City to contract the convict labor of said prisons, and prescribing the terms and conditions of the contract.....	1154		
247	An act declaring what persons shall be deemed to have acquired a residence in any township, city, or ward in this State, so as to entitle him to vote therein.....	1192		



# CALENDAR

## OF

### BILLS AND JOINT RESOLUTIONS.

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#### SENATE BILLS ON FIRST READING.

No. 231 .....	Introduced by Mr. Rice.
No. 240 .....	Introduced by Mr. Taggart.
No. 241 .....	Introduced by Mr. Walcott.
No. 247 .....	Introduced by Mr. Bennett.

#### JOINT RESOLUTIONS OF THE SENATE ON FIRST READING.

No. 11 .....	Introduced by Mr. Oyler.
No. 12 .....	Introduced by Mr. Cullen.

#### SENATE BILLS ON SECOND READING.

No. 35 .....	Introduced by Mr. Stein.
No. 181 .....	Introduced by Mr. Huffman.
No. 165 .....	Introduced by Mr. Reagan.
No. 201 .....	Introduced by Mr. Jaquess.
No. 14 .....	Introduced by Mr. Thompson.
No. 20 .....	Introduced by Mr. Oyler.
No. 108 .....	Introduced by Mr. Bellamy.
No. 120 .....	Introduced by Mr. Niles.
No. 235 .....	Introduced by Mr. Niles.
No. 148 .....	Introduced by Mr. Reynolds.
No. 146 .....	Introduced by Mr. Cason.
No. 159 .....	Introduced by Mr. Houghton.
No. 169 .....	Introduced by Mr. Reagan.
No. 171 .....	Introduced by Mr. Walcott.
No. 176 .....	Introduced by Mr. Stein.
No. 233 .....	Introduced by Mr. Reynolds.
No. 178 .....	Introduced by Mr. Hanna.
No. 180 .....	Introduced by Mr. Hanna.
No. 185 .....	Introduced by Mr. Niles.
No. 186 .....	Introduced by Mr. Cason.
No. 187 .....	Introduced by Mr. Bellamy.
No. 190 .....	Introduced by Mr. Noyes.
No. 198 .....	Introduced by Mr. Cullen.
No. 207 .....	Introduced by Mr. Walcott.
No. 200 .....	Introduced by Mr. Bonham.
No. 220 .....	Introduced by Mr. Jaquess.
No. 226 .....	Introduced by Mr. Bellamy.

#### JOINT RESOLUTIONS OF THE SENATE ON SECOND READING.

No. 2 .....	Introduced by Mr. Carson.
No. 4 .....	Introduced by Mr. Jaquess.



## SENATE BILLS ON THIRD READING.

No. 131.....	Introduced by Mr. Stein.
No. 154.....	Introduced by Mr. Jaquess.
No. 212.....	

## SENATE BILLS LAID ON THE TABLE.

No. 17.....	Introduced by Mr. Parrish.
No. 50.....	Introduced by Mr. Cumback.
No. 33.....	Introduced by Mr. Bennett.
No. 36.....	Introduced by Mr. Richmond.
No. 74.....	Introduced by Mr. Cumback.
No. 158.....	Introduced by Mr. Niles.
No. 76.....	Introduced by Mr. Thompson.
No. 38.....	Introduced by Mr. Hyatt.
No. 119.....	Introduced by Mr. Thompson.
No. 94.....	Introduced by Mr. Church.
No. 114.....	Introduced by Mr. Kinley.
No. 218.....	Introduced by Mr. Richmond.
No. 116.....	Introduced by Mr. Terry.
No. 91.....	

## SENATE BILLS INDEFINITELY POSTPONED.

No. 12.....	Introduced by Mr. Bellamy.
No. 34.....	Introduced by Mr. Cullen.
No. 53.....	Introduced by Mr. Carson.
No. 61.....	Introduced by Mr. Carson.
No. 96.....	Introduced by Mr. Mason.
No. 129.....	Introduced by Mr. Oylor.
No. 211.....	

## HOUSE BILLS ON SECOND READING.

No. 9.....	Introduced by Mr. McFadin.
No. 20.....	Introduced by Mr. Shoaff.
No. 28.....	Introduced by Mr. Peehle.
No. 30.....	
No. 31.....	Introduced by Mr. Baker.
No. 32.....	Introduced by Mr. Prather.
No. 33.....	Introduced by Mr. Stewart.
No. 34.....	Introduced by Mr. McFadin.
No. 37.....	Introduced by Mr. White.
No. 38.....	Introduced by Mr. Hartman.
No. 45.....	Introduced by Mr. Wright.
No. 56.....	Introduced by Mr. Hughes.
No. 57.....	Introduced by Mr. Newcomb.
No. 61.....	Introduced by Mr. Litson.
No. 76.....	Introduced by Mr. Shoaff.
No. 79.....	Introduced by Mr. Stafford.
No. 82.....	Introduced by Mr. Shook.
No. 90.....	Introduced by Mr. Higgins.
No. 103.....	Introduced by Mr. McLean.
No. 108.....	Introduced by Mr. Watson.
No. 109.....	Introduced by Mr. Daggy.
No. 110.....	Introduced by Mr. Chambers.
No. 113.....	Introduced by Mr. Belford.
No. 118.....	Introduced by Mr. Newcomb.
No. 125.....	Introduced by Mr. Wasson.
No. 128.....	Introduced by Mr. Shoaff.
No. 129.....	
No. 131.....	Introduced by Mr. Stewart.
No. 136.....	Introduced by Mr. Peehle.
No. 147.....	Introduced by Mr. Shook.
No. 165.....	
No. 173.....	Introduced by Mr. Woods.
No. 192.....	Introduced by Mr. Peehle.
No. 194.....	Introduced by Mr. Scammahorn.
No. 202.....	Introduced by Mr. Greene.
No. 204.....	Introduced by Mr. McLean.
No. 205.....	Introduced by Mr. Campbell.
No. 216.....	Introduced by Mr. McClasky.
No. 221.....	Introduced by Mr. Woods.
No. 226.....	Introduced by Mr. Hamilton.
No. 227.....	Introduced by Mr. Shoaff.
No. 236.....	Introduced by Mr. Greene.
No. 237.....	Introduced by Mr. Belford.
No. 238.....	Introduced by Mr. Hopkins.
No. 239.....	

## HOUSE BILLS ON SECOND READING—Continued.

No. 242.....	Introduced by Mr. Lopp.
No. 248.....	Introduced by Mr. McMurray.
No. 249.....	Introduced by Mr. Wilson.
No. 251.....	Introduced by Mr. Spencer.
No. 255.....	Introduced by Mr. Newcomb.
No. 265.....	Introduced by Mr. Honneus.
No. 266.....	Introduced by Mr. McLean.
No. 268.....	Introduced by Mr. Woods.
No. 271.....	
No. 273.....	Introduced by Mr. McMurray.
No. 283.....	Introduced by Mr. Peelle.
No. 297.....	Introduced by Mr. Miller.
No. 303.....	Introduced by Mr. Ratliff.
No. 306.....	Introduced by Mr. Bobo.
No. 307.....	Introduced by Mr. Peelle.
No. 308.....	
No. 314.....	Introduced by Mr. Martin.
No. 315.....	Introduced by Mr. Higgins.
No. 322.....	Introduced by Mr. Corey.
No. 325.....	Introduced by Mr. Smith of Lagrange.
No. 328.....	Introduced by Mr. Hopkins.
No. 329.....	Introduced by Mr. Ferris.
No. 330.....	Introduced by Mr. Foulke.
No. 332.....	Introduced by Mr. Wasson.
No. 336.....	Introduced by Mr. Moore.
No. 339.....	Introduced by Mr. Evans.
No. 344.....	Introduced by Mr. O'Niel.
No. 347.....	Introduced by Mr. Dunn.

## HOUSE BILLS ON THIRD READING.

No. 25.....	Introduced by Mr. Miller.
No. 46.....	Introduced by Mr. Hughes.
No. 58.....	Introduced by Mr. Miller.
No. 111.....	Introduced by Mr. Peelle.
No. 117.....	Introduced by Mr. Peelle.
No. 126.....	Introduced by Mr. Griggs.
No. 140.....	Introduced by Mr. Miller.
No. 143.....	
No. 157.....	Introduced by Mr. Woods.
No. 172.....	Introduced by Mr. Ratliff.
No. 174.....	Introduced by Mr. Scammaborn.
No. 206.....	Introduced by Mr. Peelle.
No. 210.....	Introduced by Mr. Moore.
No. 215.....	Introduced by Mr. Lopp.
No. 218.....	Introduced by Mr. Woods.
No. 229.....	Introduced by Mr. Spencer.
No. 241.....	Introduced by Mr. Spencer.
No. 245.....	Introduced by Mr. Long of Jackson.
No. 246.....	Introduced by Mr. Long of Jackson.
No. 253.....	Introduced by Mr. Daggy.
No. 261.....	Introduced by Mr. Montgomery.
No. 264.....	Introduced by Mr. Wright.
No. 269.....	
No. 274.....	
No. 279.....	Introduced by Mr. Stackhouse.
No. 280.....	Introduced by Mr. Corey.
No. 288.....	Introduced by Mr. Crain.
No. 304.....	Introduced by Mr. Crain.
No. 312.....	Introduced by Mr. Brucker.
No. 313.....	Introduced by Mr. Campbell.
No. 320.....	Introduced by Mr. Bird.
No. 324.....	Introduced by Mr. Fuller.
No. 338.....	Introduced by Mr. Daggy.
No. 345.....	Introduced by Mr. Campbell.
No. 346.....	Introduced by Mr. McFaddin.
No. 191.....	Introduced by Mr. Crain.
No. 291.....	Introduced by Mr. Wolfe.
No. 84.....	Introduced by Mr. Skidmore.

## HOUSE BILLS LAID ON TABLE.

No. 1.....	Introduced by Mr. Prather.
No. 6.....	Introduced by Mr. McCarthy.
No. 7.....	Introduced by Mr. Baker.
No. 16.....	Introduced by Mr. Thacher.
No. 22.....	Introduced by Mr. Bobo.
No. 26.....	Introduced by Mr. Higgins.
No. 27.....	Introduced by Mr. Shuey.

## HOUSE BILLS LAID ON TABLE—Continued.

No. 35.....	Introduced by Mr. Woods.
No. 36.....	Introduced by Mr. Montgomery.
No. 43.....	Introduced by Mr. Hamilton.
No. 47.....	Introduced by Mr. Baker.
No. 50.....	Introduced by Mr. Chambers.
No. 51.....	
No. 52.....	Introduced by Mr. Thrasher.
No. 55.....	Introduced by Mr. Brucker.
No. 60.....	Introduced by Mr. Smith, of Lagrange.
No. 64.....	Introduced by Mr. Hartman.
No. 65.....	Introduced by Mr. Shields.
No. 68.....	Introduced by Mr. Stewart.
No. 69.....	Introduced by Mr. Daggy.
No. 75.....	Introduced by Mr. Skidmore.
No. 78.....	Introduced by Mr. Woods.
No. 80.....	Introduced by Mr. McPadin.
No. 85.....	Introduced by Mr. Spencer.
No. 94.....	Introduced by Mr. Crain.
No. 95.....	Introduced by Mr. Shuey.
No. 97.....	Introduced by Mr. Gordon.
No. 98.....	Introduced by Mr. Spencer.
No. 100.....	Introduced by Mr. Crain.
No. 102.....	Introduced by Mr. Bird.
No. 104.....	Introduced by Mr. Greer.
No. 114.....	Introduced by Mr. Miller.
No. 115.....	Introduced by Mr. Prather.
No. 116.....	Introduced by Mr. Peelle.
No. 120.....	Introduced by Mr. Vawter.
No. 121.....	Introduced by Mr. Hopkins.
No. 124.....	Introduced by Mr. Hamilton.
No. 129.....	Introduced by Mr. Wilson.
No. 132.....	Introduced by Mr. Wason.
No. 134.....	
No. 135.....	Introduced by Mr. Moore.
No. 137.....	Introduced by Mr. Bird.
No. 138.....	Introduced by Mr. Shanks.
No. 139.....	Introduced by Mr. Prather.
No. 151.....	Introduced by Mr. Sabin.
No. 154.....	Introduced by Mr. Montgomery.
No. 156.....	Introduced by Mr. Scammahorn.
No. 160.....	Introduced by Mr. Prather.
No. 161.....	Introduced by Mr. Fuller.
No. 163.....	Introduced by Mr. Smith of Lagrange.
No. 166.....	Introduced by Mr. Daggy.
No. 167.....	Introduced by Mr. Stafford.
No. 170.....	Introduced by Mr. Montgomery.
No. 171.....	Introduced by Mr. Woods.
No. 182.....	Introduced by Mr. Kiser.
No. 184.....	Introduced by Mr. Litson.
No. 188.....	Introduced by Mr. Stackhouse.
No. 195.....	Introduced by Mr. Fuller.
No. 197.....	Introduced by Mr. Wason.
No. 199.....	Introduced by Mr. Montgomery.
No. 208.....	Introduced by Mr. Bird.
No. 209.....	Introduced by Mr. Peelle.
No. 213.....	Introduced by Mr. Wason.
No. 220.....	Introduced by Mr. Shuey.
No. 224.....	Introduced by Mr. Miller.
No. 228.....	Introduced by Mr. Douglas.
No. 231.....	Introduced by Mr. Woods.
No. 235.....	Introduced by Mr. Higgins.
No. 252.....	Introduced by Mr. Prather.
No. 254.....	Introduced by Mr. Montgomery.
No. 260.....	Introduced by Mr. Prather.
No. 263.....	Introduced by Mr. Wolfe.
No. 267.....	Introduced by Mr. Morrison.
No. 281.....	Introduced by Mr. Smith of Lagrange.
No. 289.....	Introduced by Mr. Martin.
No. 291.....	Introduced by Mr. Wolfe.
No. 295.....	Introduced by Mr. Daggy.
No. 321.....	Introduced by Mr. Hopkins.
No. 327.....	Introduced by Mr. Honneus.
No. 333.....	Introduced by Mr. Stafford.

## HOUSE BILLS INDEFINITELY POSTPONED.

No. 29.....	Introduced by Mr. Barritt.
No. 30.....	Introduced by Mr. Sabin.
No. 44.....	Introduced by Mr. Woods.
No. 62.....	Introduced by Mr. Crain.
No. 66.....	Introduced by Mr. Montgomery.

## HOUSE BILLS INDEFINITELY POSTPONED—Continued.

No. 67.....	Introduced by Mr. Peelle.
No. 68.....	Introduced by Mr. Stewart.
No. 71.....	Introduced by Mr. Hamilton.
No. 73.....	Introduced by Mr. Shuey.
No. 74.....	Introduced by Mr. Spencer.
No. 86.....	Introduced by Mr. Evans.
No. 87.....	Introduced by Mr. Wright.
No. 88.....	Introduced by Mr. Wilson.
No. 92.....	Introduced by Mr. Evans.
No. 106.....	Introduced by Mr. Ratliff.
No. 112.....	Introduced by Mr. White.
No. 119.....	Introduced by Mr. White.
No. 122.....	Introduced by Mr. Griggs.
No. 123.....	Introduced by Mr. Williams.
No. 146.....	Introduced by Mr. Honneus.
No. 149.....	Introduced by Mr. Baker.
No. 150.....	Introduced by Mr. Higgins.
No. 152.....	Introduced by Mr. Wilson.
No. 155.....	Introduced by Mr. Shook.
No. 156.....	Introduced by Mr. Scammahorn.
No. 162.....	Introduced by Mr. McLean.
No. 169.....	Introduced by Mr. McLean.
No. 176.....	Introduced by Mr. Montgomery.
No. 180.....	Introduced by Mr. Hartman.
No. 183.....	Introduced by Mr. Kiser.
No. 186.....	Introduced by Mr. Wilson.
No. 187.....	Introduced by Mr. McLean.
No. 196.....	Introduced by Mr. Shoaff.
No. 198.....	Introduced by Mr. Shook.
No. 200.....	Introduced by Mr. Dunn.
No. 214.....	Introduced by Mr. Campbell.
No. 217.....	Introduced by Mr. Woods.
No. 230.....	Introduced by Mr. Hartman.
No. 232.....	Introduced by Mr. Long, of Jackson.
No. 234.....	Introduced by Mr. Kiser.
No. 247.....	Introduced by Mr. Stafford.
No. 250.....	Introduced by Mr. Evans.
No. 256.....	Introduced by Mr. Daggy.
No. 257.....	Introduced by Mr. Peelle.
No. 285.....	Introduced by Mr. Hughes.
No. 292.....	Introduced by Mr. Ross.
No. 294.....	Introduced by Mr. Griggs.
No. 296.....	Introduced by Mr. Miller.
No. 298.....	Introduced by Mr. Wolfer.
No. 299.....	Introduced by Mr. Shook.
No. 302.....	Introduced by Mr. Hamilton.
No. 305.....	Introduced by Mr. McLean.
No. 309.....	Introduced by Mr. Greene.
No. 310.....	Introduced by Mr. Hughes.
No. 311.....	
No. 317.....	Introduced by Mr. Barritt.
No. 323.....	Introduced by Mr. Griggs.
No. 326.....	Introduced by Mr. O'Neil.
No. 340.....	Introduced by Mr. Long, of Kosciuszko.
No. 342.....	Introduced by Mr. Brauham.









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